BLYTHE CITY COUNCIL AND

BLYTHE REDEVELOPMENT AGENCY



AGENDA AUGUST 28, 2007 6:00 P.M.

Robert Crain, Mayor Charles Grotke, Vice Mayor Alfonso Hernandez, Councilman Joseph DeConinck, Councilman Beverly Mays, Councilwoman Les Nelson, City Manager Virginia Rivera, City Clerk

MEETINGS ARE HELD IN THE CITY COUNCIL CHAMBER, 235 NORTH BROADWAY, BLYTHE, CALIFORNIA

AGENDA

BLYTHE CITY COUNCIL MEETING

AND

BLYTHE REDEVELOPMENT AGENCY

AUGUST 28, 2007

6:00 P.M.

__Police Chief Whitney

Mayor Crain



PLEDGE OF ALLEGIANCE:	by Invitation	•
INVOCATION: by Invitation		
ROLL CALL:		
Mayor Robert CrainVice Mayor Charles GrotkeCouncilman HernandezCouncilman DeConinckCouncilwoman Mays	City Attorney Zundel City Manager Nelson Asst. City Mgr. Hull Treasurer Martin Finance Dir. Colbert	 Public Works Dir. Rodkey Planning Director Wellman City Engineer Aaby Golf Course Supt. Lanphere Fire Chief Kem

ADDED STARTER

__City Clerk Rivera

CALL TO ORDER:

The City Council may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the City Council and/or staff subsequent to the posting of the Agenda. An action adding an item to the Agenda requires a 2/3 vote of the City Council (4 of 5 Councilmembers). If less than 2/3 of the City Council is present, adding an item to the Agenda requires a unanimous vote.

CONSENT CALENDAR

Items on the Consent Calendar are considered routine and will be enacted with one motion of the Council. If any item requires individual consideration, it will be removed from the consent calendar and acted upon separately.

- Posting of the Agenda: The summary of agenda items was posted on the bulletin boards on the outside of the public entrance to the Council Chamber and near the inside entrance of the Council Chamber on Friday, August 24, 2007.
- 2. Approval of the Minutes of the regular meeting of June 12th and June 26, 2007.

 Approval of Warrants Register, **08/28/07**, warrants numbered 45906 thru 46052 in the amount of \$603,159.43.
- 3. Approval of Payroll Register 08/17/07, warrants numbered 39317 thru 39369 and Direct Deposits in the amount of \$432,962.45.
- 4. Rejection of Claims(s) for Damages Edison Company.
- 5. Finance Department Investment Report Fourth Quarter Fiscal Year 2006-07.
- 6. Police Department Monthly Activity Report for July 2007.
 - a. Staff Report
 - b. Public Comment
 - c. Recommend Approval of Consent Calendar

PUBLIC HEARINGS:

- 1. Conditional Use Permit 2006-08, Romeo & Maria Ang
 - a. Staff Report
 - b. Public Hearing
 - c. Recommend Adoption of Resolution Nos. 07-721 and 07-722

RESOLUTION NO. 07-721. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF A NOTICE OF EXEMPTION FOR CONDITIONAL USE PERMIT 2006-08

RESOLUTION NO. 07-722. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS IN SUPPORT OF APPROVING CONDITIONAL USE PERMIT 2006-08

- 2. Tentative Parcel Map 35616, Nirmal Patel
 - a. Staff Report
 - b. Public Hearing
 - c. Recommend Adoption of Resolution No. 07-734 and 07-735

 RESOLUTION NO. 07-734. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE

 CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF A NOTICE OF EXEMPTION FOR

 TENTATIVE PARCEL MAP 35616

RESOLUTION NO. 07-735. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS AND CONDITIONS IN SUPPORT OF APPROVING TENTATIVE PARCEL MAP 35616 TO ALLOW THE DIVISION OF ONE (1) 1.76± (GROSS) ACRE PARCEL INTO TWO (2) SEPARATE PARCELS ON PROPERTY LOCATED AT 9274 AND 9266 EAST HOBSONWAY

ORDINANCES:

- 1. Ordinance No. 823-07, Regulating Taxicab Services
 - a. Staff Report
 - b. Public Comment
 - c. Recommend First Reading of Ordinance No. 823-07

 AN ORDINANCE OF THE CITY OF BLYTHE AMENDING CHAPTER 5.72 OF THE BLYTHE MUNICIPAL CODE

WRITTEN COMMUNICATIONS:

- 1. Soroptimist of Blythe, Donate the Rental Fees for the Community Center
 - a. Correspondence
 - b. Public Comment
 - c. Recommend Approval to Donate Rental Fees
- 2. Blythe Area Chamber of Commerce, Donate the Rental Fees for the Community Center
 - a. Correspondence
 - b. Public Comment
 - c. Recommend Approval to Donate Rental Fees
- 3. MENOS vs. City of Blythe, Blythe Citizens for Smart Growth vs. City of Blythe
 - a. Staff Report
 - b. Public Comment
 - c. Informational Only

REDEVELOPMENT

- 1. Approval of Minutes, June 12, 2007 Meeting
 - a. Staff Report
 - b. Public Comment
 - c. Recommend Approval

- 2. **Property Acquisition** Vacant Parcel on South Broadway
 - a. Staff Report
 - b. Public Comment
 - c. Recommend Discussion
- 3. Demolition of 101 W. Murphy
 - a. Staff Report
 - b. Public Comment
 - c. Recommend Council Discussion & Direction

REPORTS:

- 1. Assistant City Manager's Report
 - a. Staff Report
 - b. Public Comment
 - c. Receive and File

ORAL REPORTS:

1. Oral Reports from Council and Staff

PUBLIC COMMENT:

Members of the public may address Council on items not covered in the Agenda. Speakers are asked to identify themselves and give their address. Speakers are asked to limit their remarks to 3 minutes in duration.

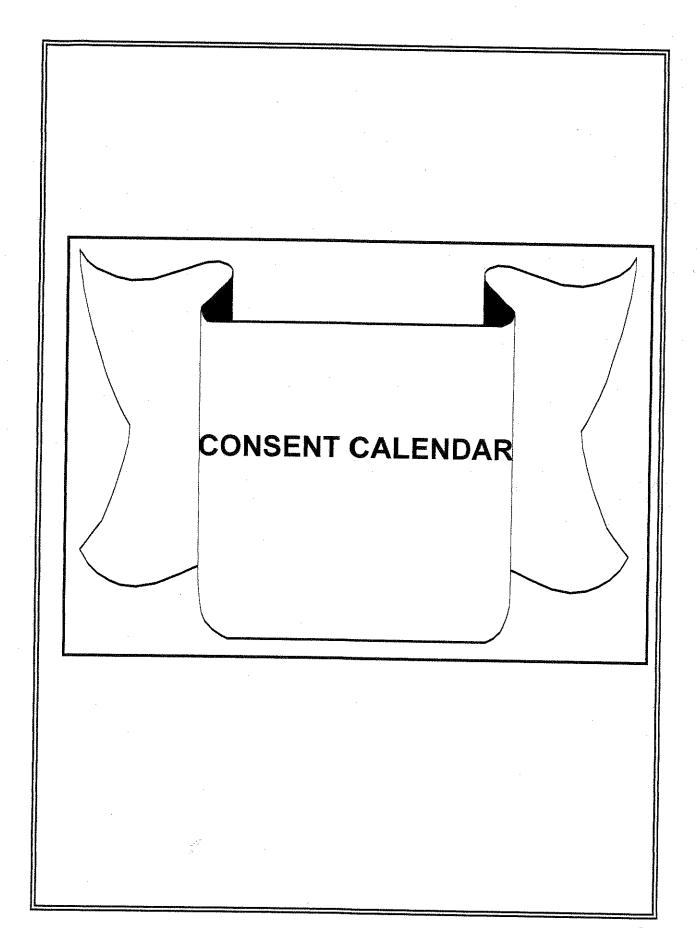
ADJOURN:

The Agenda is now available on the City's Website at http://www.cityofblythe.ca.gov

NOTE TO THE PUBLIC:



IN COMPLIANCE WITH THE AMERICANS WITH DISABILITY ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT VIRGINIA RIVERA, CITY CLERK AT (760) 922-6161 EXT. 237. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING (28 CFR 35.104 ADA TITLE II)



MINUTES JUNE 12, 2007 BLYTHE CITY COUNCIL

The June 12, 2007 regular meeting of the Blythe City Council was called to order at 6:00 P.M. in the Council Chamber by Mayor Crain. Also in attendance were Vice Mayor Grotke, Councilmembers DeConinck, Hernandez and Mays. Staff attendance included: City Manager Nelson, City Attorney Zundel, Asst. City Manager Hull, City Clerk Rivera, Finance Director Colbert, Police Captain Wade, Planning Director Wellman and Planner Burrows.

The Pledge of Allegiance was led by Vice Mayor Grotke and the Invocation was offered by Councilwoman Mays.

Police Captain Wade introduced 11 new employees from the Blythe Police Department.

ADDED STARTER

The City Council may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the City Council and/or staff subsequent to the posting of the Agenda. An action adding an item to the Agenda requires a 2/3 vote of the City Council (4 of 5 Councilmembers). If less than 2/3 of the City Council is present, adding an item to the Agenda requires a unanimous vote.

CONSENT CALENDAR:

Items on the Consent Calendar are considered routine and will be enacted with one motion of the Council. If any item requires individual consideration, it will be removed from the Consent Calendar and acted upon separately.

- Posting of the Agenda: The summary of agenda items was posted on the bulletin boards on the outside
 of the public entrance to the Council Chamber and near the inside entrance of the Council Chamber on
 Friday, June 8, 2007.
- 2. Approval of the Minutes of the regular meeting of May 8th and May 22, 2007.
- 3. Approval of Warrant Register, 06/12/07, warrants numbered 45147 thru 45299 in the amount of \$1,913.312.10.
- 4. Approval of Payroll Register 05/29/07, warrants numbered 38820 thru 38873 and Direct Deposits in the amount of \$408,990.53, 06/12/07, warrants numbered 38874 thru 38940 and Direct Deposits in the amount of \$435,191.82.
- 5. Blythe Fire Department, Donate Application Fee for Firework Display.
- 6. General Plan Annual Report Including Housing Element Report for 2006.
- 7. Approval of Notice of Completion Lovekin/Chanslorway Pavement Rehabilitation Project 2006.
- 8. Approval of Notice of Completion Water Production & Treatment Facility Booster Pump Station.
- 9. Rejection of Claims(s) for Damages, John Kilgore.
- 10. Approval of Reguest No. 20 from RDA Revolving Fund Account.
- 11. Development Services Department Building Permits Issued for May 2007.
- 12. Adoption of Resolution of Resolution Nos. 07-710, 07-711, 07-712, 07-713, 07-714 and 07-715, Detachment of Territory from Lighting District No. 1; Annual Assessment for Lighting District Nos. 1 and 2; and, Annexation of Territory to Lighting District No 2.

RESOLUTION NO. 07-710. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE DECLARING ITS INTENTION TO DETACH TERRITORY FROM CITY OF BLYTHE LIGHTING DISTRICT NO. 1 AND APPOINTING A TIME AND PLACE FOR HEARING PROTESTS

RESOLUTION NO. 07-711. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE APPROVING THE REPORT OF THE ENGINEER REGARDING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE CITY OF BLYTHE LIGHTING DISTRICT NO. 1 FOR FISCAL YEAR 2007-2008

RESOLUTION NO. 07-712. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN CITY OF BLYTHE LIGHTING DISTRICT NO. 1 FOR FISCAL YEAR 2007-2008 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND APPOINTING A TIME AND PLACE FOR HEARING PROTESTS

RESOLUTION NO. 07-713. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE APPROVING THE REPORT OF THE ENGINEER REGARDING THE PROPOSED ANNEXATION OF TERRITORY TO CITY OF BLYTHE LIGHTING DISTRICT NO. 2 AND THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE CITY OF BLYTHE LIGHTING DISTRICT NO. 2 FOR FISCAL YEAR 2007-2008

RESOLUTION NO. 07-714. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE DECLARING ITS INTENTION TO ANNEX TERRITORY TO CITY OF BLYTHE LIGHTING DISTRICT NO. 2 AND TO LEVY AND COLLECT ASSESSMENTS WITHIN SUCH TERRITORY FOR FISCAL YEAR 2007-2008 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND AS PROVIDED BY ARTICLE XIIID OF THE CALIFORNIA CONSTITUTION AND APPOINTING A TIME AND PLACE FOR HEARING PROTESTS

No Public comment. Councilman DeConinck moved to approve the Consent Calendar as amended. Seconded by Councilman Hernandez. Unanimous Aye vote.

Councilwoman Mays stepped down from the table due to potential conflict of interest.

PUBLIC HEARINGS:

CONDITIONAL USE PERMIT 2007-01, Preferred Asset Management. Planning Director Wellman reported that the applicant Preferred Asset Management proposes the development and operation of a commercial storage facility on 5.0± acres located approximately one quarter mile east of Intake Blvd. on East Hobsonway. On January 11, 2005, the City Council granted the Conditional Use Permit for construction of the Power Self Storage. Subsequent to Council approval, the project applicant applied for off site improvement and grading permits; said permits were ready for issuance on November 20, 2006. Conditional Use Permit will lapse if no improvements have been made to the site or if the permittee does not utilize the permit within one (1) year from the date upon which the permit is granted. In the case of Power Self Storage, a one extension was granted. In preparing the Initial Study and the Mitigated Negative Declaration, staff independently reviewed, evaluated and exercised judgment of the Project and the Project's environmental effects. Findings: A.) the proposed use is allowed with the issuance of a Conditional Use Permit pursuant to Blythe Municipal Code Section 17.08.010. B.) The proposed use is consistent with the City's General Plan and Zoning Ordinance. C.) The proposed use, with proposed conditions of approval, is suitable for the site. D.) The proposed location of the conditional use and the conditions under which it will be operated and maintained will not be detrimental to the Public Health, Safety or Welfare, or materially injurious to properties or improvements in the vicinity. E.) A mitigated negative declaration has been prepared for the project and the mitigation measures with monitoring plan have been incorporated into the project conditions of approval. F.) The environmental analysis for this project reflects the independent judgment of the City of Blythe. The Mayor opened the Public Hearing. No public comment. The hearing was closed.

Vice Mayor Grotke moved for the adoption of Resolution Nos. 07-704 approving the Mitigated Negative Declaration and Mitigation, Monitoring and Reporting Plan prepared for Conditional Use Permit 2007-01. Seconded by Councilman DeConinck. Ayes: Grotke, DeConinck, Hernandez, Crain. Noes: None. Abstain: Mays.

RESOLUTION NO. 07-704. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF THE MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT AND MITIGATION, MONITORING AND REPORTING PLAN PREPARED FOR CONDITIONAL USE PERMIT 2007-01

Vice Mayor Grotke moved for the adoption of Resolution 07-705 approving Conditional Use Permit 2007-01, with conditions. Seconded by Councilman DeConinck. Ayes: Grotke, DeConinck, Hernandez, Crain. Noes: None. Abstain: Mays.

RESOLUTION NO. 07-705. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS IN SUPPORT OF APPROVING CONDITIONAL USE PERMIT 2007-01

Councilwoman Mays returned to the table.

Mayor Crain stepped down from the table due to potential conflict of Interest.

CONDITIONAL USE PERMIT 2007-02, Grant Mayfield. Planning Director Wellman reported that the applicant Grant Mayfield is requesting approval of a Conditional Use Permit to allow the rehabilitation and subsequent habitation of a residential unit above and in conjunction with an existing business. The subject site is located in the alley (a.k.a. Midway Place) between Spring Street and North Broadway, on the north side of Hobsonway. Pursuant to Section 17.68.025 of the City of Blythe Zoning Ordinance, before a Conditional Use Permit may be granted allowing a residential unit in a commercial or industrial zone, the following findings must be made: 1.) The proposed dwelling is in character with the existing neighborhood. 2.) The proposed dwelling is an area where adjacent land uses are residential. 3.)The proposed dwelling does not conflict with the permitted uses of the zone in regards to access and traffic generation. In addition to these findings, Section 17.68.025 requires that the Conditions of Approval include a statement of the potential conflicts that may arise due to the issuance of the conditional use permit and a statement of non-liability for conflicts arising due to the conflict of uses in the zone. These statements have been listed as additional conditions for project approval. Findings: 1.) The proposed use is one conditionally permitted within the subject zone pursuant to Section 3.5 of General Plan 2025. 2.) the integrity and character of the

district in which it is to be located. 3.) The subject parcel is physically suitable for the type of land use being proposed. 4.) The proposed use is compatible with the existing uses on the project site and uses within the project vicinity. 5.) There are adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety. 6.) The proposed project is exempt from provisions of CEQA pursuant to Section 15061 (b) (3) of the CEQA Guidelines in that it can be seen with certainty that the activity in question will not have a significant effect on the environment. 7.) The environmental analysis for this project reflects the independent judgment of the City of Blythe. Vice Mayor Grotke opened the Public Hearing. No public comment, the hearing was closed.

Councilman Hernandez moved for the adoption of Resolution No. 07-06 approving the Notice of Exemption prepared for Conditional Use Permit 2007-02. Seconded by Councilwoman Mays. Ayes: Hernandez, Mays, Grotke, DeConinck. Noes: None, Abstain: Crain.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF A NOTICE OF EXEMPTION FOR CONDITIONAL USE PERMIT 2007-02

Councilman Hernandez moved for the adoption of Resolution No. 07-707 approving Conditional Use Permit 2007-02, with amended conditions. Seconded by Councilman DeConinck. Ayes: Hernandez, DeConinck, Mays, Grotke. Noes: None. Abstain: Crain.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS IN SUPPORT OF APPROVING CONDITIONAL USE PERMIT 2007-02

Mayor Crain returned to the table.

Councilman Hernandez stepped down from the table due to potential conflict of interest.

TENTATIVE TRACT MAP 35126, Lucas Coronel & Lucano Cornel. Planning Director Wellman reported that the applicant Lucas & Lucano Coronel (Coronel Construction) is proposing subdivision of a 17.8± acre site and subsequent development of said parcel into a 77 lot single family residential development. Primary access to the project site will be from North Broadway. The secondary access point is proposed via connection to Cypress Lane. Public facility and infrastructure components of the Proposed Project include: dedication of ten (10) feet of right-of-way along the project frontage on the west side of North Broadway; cold plane and A.C. overly of both the north and south traffic lanes of Broadway along the project's frontage with appropriate roadway tapers; extension of a 12-inch water line and an adequately sized gravity sewer line from their current termination points in North Broadway to the north project boundary; installation and improvement of a school bus turn-out with bench and shade structure; installation of curb, gutter, sidewalk, an eight (8) foot wide landscape parcel and six (6) foot high decorative slump block or stucco wall along the project's entire Broadway frontage; a block wall, minimum eight (8) feet in height, or two (2) feet above track level, whichever is higher, will be constructed along the west property line adjacent to the Arizona/California Railroad right-of-way; and, construction of a 1.04± acre storm water retention basin. Said retention basin will be located in the southwest corner within the development and will be landscaped and improved to a condition that will provide passive and active recreation space to residents within the community. Findings: A.) The proposed Tentative Tract Map is consistent with the Zoning Ordinance and General Plan. B.) The site is physically suitable for the type and density of development proposed. C.) The design of the project or the proposed public improvements will not conflict with easements or public rights-ofway acquired by the public at large within or adjacent to the Proposed Project. D.) A Mitigated Negative Declaration, in accordance with the CEQA was prepared for the Project. E.) Review of the environmental circumstances regarding this Project indicates that no adverse impacts would accrue to wildlife resources from implementation of the Project. F.) The environmental assessment and analysis prepared for this Project reflect the independent judgment of the City of Blythe. The Mayor opened the Public Hearing: Public comment: Lucas Coronel, applicant, thanked staff/Council and agreed with the Conditions of Approval. Mr. Coronel gave a brief background report on the project and the City's requirements on the canals. Quenton Hanson, is opposed to the project until there is a second major access/egress point. He also expressed his concerns with children crossing the railroad tracks and the canal. He also requested the street numbers be painted on the curb. Julie Haden, Century 21, spoke in favor of the project saying the homes sell and people want to buy. Leslie Jessop-Watkins, spoke on the landscaping and asked about including it in the City's Landscape District. Richard Teskey, 378 Village Dr., stated that the painted curb address doesn't work, people will park in front of the curb. Sheila Melgarejo, 916 W. Wells, her concern is parking the cars in the street. No further comments. The Mayor closed the hearing. Council went into a lengthly discussion regarding the status of the Homeowners Association (HOA) maintaining the landscaping and subsequent to discussion requested that the applicant/developer install/construct playground equipment (valued at no less than \$10,000 and no more than \$25,000) in the retention basin area for use by the project residents. The applicant verbally agreed to the added condition.

Vice Mayor Grotke moved to adopted Resolution No. 07-708 approving Tentative Tract Map 35126 Mitigated Negative Declaration, Monitoring and Reporting Plan. Seconded by Councilman DeConinck. Aye: Grotke, DeConinck, Mays and Crain. Absent: None. Abstain: Hernandez.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PLAN FOR TENTATIVE TRACT MAP 35126

Vice Mayor Grotke moved to adopted Resolution No. 07-709 with Conditions of Approval as amended. Seconded by DeConinck. Aye: Grotke, DeConinck, Mays and Crain. Absent: None. Abstain: Hernandez. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS AND CONDITIONS IN SUPPORT OF APPROVING TENTATIVE TRACT MAP 35126 LOCATED AT 10591 NORTH BROADWAY; THE WEST SIDE OF NORTH BROADWAY, BETWEEN 10TH AVENUE AND CHANSLORWAY, IN THE CITY OF BLYTHE, RIVERSIDE COUNTY, CALIFORNIA

Councilman Hernandez returned to the meeting.

ORDINANCES:

ORDINANCE NO. 822-07, Blythe RDA's Eminent Domain Policy. City Manager Nelson reported that Senate Bill No. 53 took effect on January 1, 2007 and is codified at Health & Safety Code Section 33342.7. Section 33342.7 requires a city that adopted a redevelopment plan prior to January 1, 2007 to adopt an ordinance that describes the redevelopment agency's program to acquire real property by eminent domain. Section 33342.7 applies to all redevelopment plans adopted before January 1, 2007, even those plans that never authorized or no longer authorize the agency to acquire real property by eminent domain. No public comment.

By acclamation Ordinance No. 822-07 was passed to its second reading.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, DESCRIBING THE BLYTHE EDEVELOPMENT AGENCY'S PROGRAM TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN IN THE BLYTHE REDEVELOPMENT PROJECT NO. 1

RESOLUTIONS:

Annual Assessment for Lighting District Nos. 1 and 2; and, Annexation of Territory to Lighting District No. 2 (This item was moved to Consent Calendar).

GENERAL MUNICIPAL ELECTION – NOVEMBER 6, 2007, City Clerk Rivera reported that the General Election is scheduled for November 6, 2007 to fill two City Councilmember positions. Resolution 07-716 Orders the General Municipal Election including the offices to be filled; Resolution 07-717 Request Registrar of Voters to conduct the election; Resolution 07-718 Adopts regulations for candidates for the election. No public comment.

Councilman Mays moved for the adoption of Resolution Nos. 07-716, 07-717 and 07-718. Seconded by Councilman Hernandez. Unanimous Aye vote. No public comment.

RESOLUTION NO. 07-7163. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2007 FOR THE ELECTION OF CERTAIN OFFICERS, AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATIVE TO GENERAL LAW CITIES.

RESOLUTION NO. 07-717. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, REQUESTING THAT THE COUNTY REGISTRAR OF VOTERS CONDUCT THE MUNICIPAL ELECTION OF NOVEMBER 6, 2007

RESOLUTION NO. 07-718. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION (TO BE HELD ON TUESDAY, NOVEMBER 6, 2007)

NEW BUSINESS:

SALE OF FIREWORKS – Outdoor Stands. City Manager Nelson reported that the City of Blythe received 2 applications from the Blythe Social Club to sell fireworks from outdoor stands. Pursuant to City Ordinance 757-99 the conditions have been complied by the applicant. **Public comment:** Ms. Melgarejo asked if the City could put some notice in the newspaper about fireworks safety.

Councilman DeConinck moved to approve the 2 applications and authorize the issuance of permits to Blythe Social Clubs to sell fireworks. Seconded by Councilwoman Mays. Unanimous Aye vote.

WRITTEN COMMUNICATIONS:

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS, 2007 Annual General Assembly. City Manager Nelson informed Council the CVAG General Assembly meeting is schedule for June 25, 2007, asking Council to contact the City Clerk to make reservation before the deadline. No public comment. Received and file.

REDEVELOPMENT AGENCY:

The Council meeting was recessed and the Council went into the Redevelopment Agency meeting.

ORAL REPORTS FROM COUNCIL AND STAFF: Asst. City Manager Hull reported that he heard there could be a taxi service coming to Blythe.

City Manager Nelson reported that the City's summer Swim Program starts June 18th, Palo Verde Hospital has scheduled a town hall meeting for June 13, 2007.

Councilman DeConinck expressed concern with customers not paying for launching their boats and parking their vehicles at Quechan Park.

Councilman Hernandez commented that Gateway Park looks very nice.

Vice Mayor Grotke also commented on Gateway Park. He also attended Ironwood & Chuckawalla graduation from Palo Verde College saying it was well done.

Mayor Crain said prison inmates that graduate from College have a very low return to institution rate.

PUBLIC COMMENT:

None

EXECUTIVE SESSION:

PENDING LITIGATION, pursuant to Government Code Section 54956.9, Wai-Mart Development.

PENDING LITIGATION, pursuant to Government Code Section 54956.9, Balszburg Neighborhood Improvement Project.

REAL ESTATE NEGOTIATIONS, pursuant to Government Code Section 54956.8, Sale of 145 N. Spring Street to Palo Verde College.

ADJOURN:

The Council adjourned at 9:00 p.m.

ATTEST:	Robert A. Crain, Mayor
Virginia Rivera, City Clerk	
(SEAL)	

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MINUTES JUNE 26, 2007 BLYTHE CITY COUNCIL

The June 26, 2007 regular meeting of the Blythe City Council was called to order at 6:00 P.M. in the Council Chamber by Mayor Crain. Also in attendance were Vice Mayor Grotke, Councilmember Mays. Staff attendance included: City Manager Nelson, Asst. City Manager Hull, City Clerk Rivera, Finance Director Colbert, City Treasurer Martin, Police Chief Whitney, Public Works Director Rodkey and Planning Director Wellman.

The Pledge of Allegiance was led by Vice Mayor Grotke and the Invocation was offered by Councilwoman Mays.

Councilmembers Hernandez and DeConinck absences were excused by the City Council.

ADDED STARTER

The City Council may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the City Council and/or staff subsequent to the posting of the Agenda. An action adding an item to the Agenda requires a 2/3 vote of the City Council (4 of 5 Councilmembers). If less than 2/3 of the City Council is present, adding an item to the Agenda requires a unanimous vote.

CONSENT CALENDAR:

Items on the Consent Calendar are considered routine and will be enacted with one motion of the Council. If any item requires individual consideration, it will be removed from the Consent Calendar and acted upon separately.

- 1. Posting of the Agenda: The summary of agenda items was posted on the bulletin boards on the outside of the public entrance to the Council Chamber and near the inside entrance of the Council Chamber on Friday, June 22, 2007.
- 2. Approval of Warrant Register, 06/12/07, warrants numbered 45300 thru 45316 in the amount of \$1,132.35; 06/26/07, warrants numbered 45317 thru 45447 in the amount of \$700,290.67.
- 3. Approval of Payroll Register 06/22/07, warrants numbered 38941 thru 38996 and Direct Deposits in the amount of \$405,403.04.
- 4. Second Reading and Adoption of Ordinance No. 822-07 Blythe RDA's Eminent Domain Policy.
 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, DESCRIBING THE BLYTHE REDEVELOPMENT AGENCY'S PROGRAM TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN IN THE BLYTHE REDEVELOPMENT PROJECT NO. 1
- 5. Approval of Notice of Completion Construction of Water Production & Treatment Facility (Phase II).
- Approval of (Final) Parcel Map 34961, Reynalda Pascua.
- 7. Authorization to Sign Cool Center Agreements with Riverside County Community Action Partnership. No Public comment. Councilwoman Mays moved to approve the Consent Calendar. Seconded by Vice Mayor Grotke. Absent: Councilmembers Hernandez & DeConinck. Unanimous Aye vote.

PUBLIC HEARINGS:

CONDITIONAL USE PERMIT 2006-08, Romero & Maria Ang (This item was continued).

ALLICATION FOR TAXICAB SERVICE, Angelica M. Cordova. Finance Director Colbert reported that pursuant to Blythe Municipal Code Chapter 5.72 no permit to operate a taxicab service shall be granted until a Public Hearing has been conducted by the City Council, and it has been determined that the operation of such taxicab service is public convenience and necessity. Ms. Angelica M. Cordova has submitted an application to operate a tax cab service located at 451 S. Main Street. All pertinent information has been submitted and insurance will be in place prior to operation of business. Applicant history and business legitimacy will be investigated by the Blythe Police Department prior to issuance of the driver permits. Angelica Cordova was in the audience to answer questions. Public Comment: None. Council went into a lengthy discussion and asked questions regarding how many taxicabs, drivers, what typed of vehicles and the hours of the business. Mayor Crain asked to continue this item while the applicant started the procedures to license the drivers and get a background check on the drivers.

RESOLUTIONS:

RESOLUTION NO. 07-719 & 07-720, Levy & Collection of Assessments for Property Weed and Building Abatement. Planning Director Wellman submitted a report listing property owners that were sent certified, return receipt notices notifying those certain property owners of hazardous conditions on their properties due to a lack of maintenance and/or substandard structure(s). Because no responses/payments were received, the Development Services Department is requesting that the City Council authorize the levy and collection of the assessments on the properties. Upon completion of abatement, billing notices were sent to the property owners. The notices and billings specifically stated that if not remitted, the cost plus administrative fee and filing fees would be assessed to property taxes. No public comment.

Vice Mayor Grotke moved for the adoption of Resolution No. 07-719 and 07-720. Seconded by Councilwoman Mays. Unanimous Aye vote. Absent: Councilmembers Hernandez & DeConinck. RESOLUTION NO. 07-719. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR PROPERTY BUILDING ABATEMENT PURSUANT TO THE PROVISIONS OF THE BLYTHE MUNICIPAL CODE

RESOLUTION NO. 07-720. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR PROPERTY WEED ABATEMENT PURSUANT TO THE PROVISIONS OF BLYTHE MUNICIPAL CODE

RESOLUTION NO. 07-723, Authorizing the Continuation of Necessary & Essential Expenditures to July 31, 2007. Director of Finance Colbert presented Resolution No. 07-723 to allow the City to operate without an approved budget until July 31, 2007. No public comment.

Councilwoman Mays moved for the adoption of Resolution No. 07-723. Seconded by Vice Mayor Grotke. Unanimous Aye vote. Absent: Councilmen Hernandez & DeConinck.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA AUTHORIZING THE CONTINUATION OF NECESSARY AND ESSENTIAL EXPENDITURES TO JULY 31, 2007

NEW BUSINESS:

SALE OF FIREWORKS – OUTDOOR STANDS. City Manager Nelson reported that the City of Blythe received 2 applications from the First Assembly of God to sell fireworks from outdoor stands. Pursuant to City Ordinance 757-99 the conditions of approval have been complied by the applicant. No public comment. Patricia Ojeda, representing the applicant was in the audience to answer questions. Councilwoman Mays requested that in the future each applicant must submit a copy of detailed revenues and expenditures and how much has the organization contributed to youth activities pursuant to the requirement of the Blythe Municipal Code. No public comment. Vice Mayor Grotke asked why the applicant wasn't in the attendance. Mayor Crain asked why the applicant wasn't listed on the certificate of insurance and firework permit.

Vice Mayor Grotke moved to approve the 2 applications and authorize the issuance of permits to sell fireworks. Seconded by Councilwoman Mays. Unanimous Aye vote. Absent: Councilmembers Hernandez & DeConinck.

BALLOT MEASURE, City's Authorization for Hospital Business. City Manager Nelson reported that the City does not have legal authority to be involved in the hospital business. The attached draft ballot measure (staff believe) puts the City of Blythe in a sound strategical position; if things work out between the District Board/Management/Medical staff the City Council may wish to pursue a Sales Tax Initiative with the voters as part of an overall funding approach to build a replacement hospital; if the hospital situation continues to deteriorate, the authorization will almost certainly be necessary for the City to have any real meaningful influence in the eventual outcome. The November Ballot Measure must be submitted to the Registrar of Voters by August 10th. Staff would defer to the City Attorney relative to how much time is necessary to get the ballot language finalized. Public comment: Shelia Melgarejo, 916 W. Wells, asked why doesn't the City put together a lottery to support the hospital. Marian Anderson, asked if voters would have to approve money for the hospital. Sandy Blessing, asked if the City Council is asking the voters for permission to change from a district hospital to a municipal hospital.

Vice Mayor Grotke moved to direct the City Attorney to finalize the Ballot Measure language authorization for submittal to the County Registrar Voters no later than August 10th, for voter consideration on the November 6, 2007 General Election as amended. Seconded by Councilwoman Mays. Unanimous Aye vote. Absent: Councilmembers Hernandez & DeConinck.

REPORTS:

CITY MANAGER'S REPORT. The City Council has been asked to adopt a Continuation Resolution pending the City's FY07-08 Budget. The Budget Ad Hoc Committee has been working on the plan and it's now appropriate to think about scheduling the full Council and Management staff to review the document. Assuming Council did in fact approve the Continuation Resolution, we have until July 31st to adopt the budget, most likely at a Special meeting on July 17th or July 31st. Council will not have a meeting on July 24th. Staff suggests to work around the following budget schedule (Attached in staff report)

The Hospital situation continues to defy solution, while at the same time drawing the increased attention of the regulatory agencies that can suspend or revoke the Hospital license (Department of Health Services) or decertify it for payments under the Medicare, Medicaid and Medi-Cal programs (Centers for Medicare & Medicaid Services). From my limited understanding, it appears the basic issue is the absence of emergency general surgery services. The existing surgeon refuses to do surgery, the Medical staff has not credentialed another surgeon(s) to do surgery, and in California the District Board of Directors cannot grant a surgeon hospital privileges in contravention to the Medical staff bylaws. As a General Acute Care Hospital, the license says you must provide emergency general surgery services. Palo Verde Hospital has not been doing that for a prolonged period of time. There may be merit in the Health Care Board of Directors requesting from DHS a reclassification as a Rural General Acute Care Hospital. It might buy the Hospital some time on the surgery issue while taking the license and certifications out of jeopardy.

City Manager has been asked to serve on the Board of Directors for the Health Assessment Resource Center (HARC) serving Eastern Riverside County. The Board meets quarterly, and my first meeting will be on Friday, June 29th. If staff doesn't participate, the next Board nominee is from Cabazon, and the Palo Verde Valley will have no representative.

Miscellaneous . . . summer swim program is up and operational at the High School pool . . . DACE residential units on Rice Street are under construction . . . City Hall will be closed Wednesday, July 4th. No public comment. Received and file.

ORAL REPORTS FROM COUNCIL AND STAFF: Asst. City Manager Hull reported on the power outage in East Blythe.

Councilwoman Mays said she attended the CVAG Annual General Assembly Meeting on June 25, 2007. Ms. Mays said Gateway Park is looking good and she will be on vacation during July.

Vice Mayor Grotke said he also attended CVAG the Annual General Assembly meeting and it was well attended by the City.

PUBLIC COMMENT:

Marian Anderson said the County contacted her about operating a Cool Center.

EXECUTIVE SESSION:

PENDING LITIGATION, pursuant to Government Code Section 54956.9, Wal-Mart Development.

PENDING LITIGATION, pursuant to Government Code Section 54956.9, Balszburg Neighborhood Improvement Project.

Improvement Project.	
PENDING LITIGATION, pursuant to Government Cod	e Section 54956.9, Former Chief R. Grady.
ADJOURN: The Council adjourned at 8:30 p.m.	
ATTEST:	Robert A. Crain, Mayor
Virginia Rivera, City Clerk	0
(S E A L)	

BLYTHE CITY COUNCIL

August 28, 2007

Honorable Mayor and Members of the Blythe City Council

REJECTION OF CLAIMS(S) FOR DAMAGES - Edison Company

"The time within which a claimant against a public entity must file suit to avoid the bar of the statute of limitations depends upon whether the public entity gives notice of rejection of the claim. If such notice is given, the statute of limitations is six months, if not, it is two years from the accrual of the cause of action." (Govt. Code Section 945.6)

BACKGROUND

On August 6, 2007, this claim was filed by Edison Company for property damages. The claim alleges that the excavator (E.P.I.) working under the direction of the City of Blythe, made contact with overhead wires and broke the pole. Engineered Plumbing Inc. was the contractor working on the Balszburg Water and Sewer Project.

The initial claim(s) were submitted to the City's liability claims administrator, Public Entity Risk Management Authority (PERMA) for review and recommendation. Attached is the PERMA claims adjuster's recommended rejection of claim(s) in accordance with Section 913 of the Government Code.

The claim(s) files containing related documents are available for Council review in the office of the Finance Director.

RECOMMENDATION

Staff recommends rejection of this claim pursuant to law.

Helen Colbert Risk Manager



August 14, 2007

Helen Colbert Director of Finance City of Blythe 235 N. Broadway Blythe, CA 92225

RE: Edison Company v. City of Blythe

Date of Loss : 03/07/07 Our File Number : BT0801

A public

agency

SINCE

1985

77-670

pringlield Lane

Suite 1A

Palm Desert

CA 92211

phone

760.360.4966

fax

760.360.3264

Dear Ms. Colbert:

PERMA is in receipt of the above-captioned claim 200702293 filed against the City of Blythe by claimant, Southern California Edison Company.

We request that you take the action indicated below:

CLAIM REJECTION: Written rejection of claim by authorized board/officer in accordance with Government Code Section 913.

REQUEST CITY DOCUMENTS (CITY CONTRACT, CERTIFICATE OF INSURANCE, ENCROACHMENT PERMIT FOR A FORMAL TENDER OF THE CLAIM TO THE CONTRACTOR)

Please copy PERMA on the notice to the claimant.

Thank you for your assistance in this matter. If you have any questions or concerns, please feel free to contact me.

Sincerely,

Teri Perez

Claims Specialist

cc: Leann Martin

Deputy Director of Finance



CITY OF BLYTHE

INVESTMENT REPORT

FOURTH QUARTER Fiscal Year 2006-07 June 30, 2007

The City of Blythe has for many years invested all excess cash (cash not needed for daily operations) for all City funds and the Redevelopment Agency with the California State Local Agency Investment Fund (LAIF).

While LAIF offers the City and the Agency liquidity and safety, LAIF investment yield only slightly surpasses U.S. Treasury Bonds. There are more profitable investment instruments on the market, but risk increases with yield.

Attached for your review are copies of the following:

City of Blythe

Quarter-end statements from LAIF with accompanying attachments from the State Treasurer's Investment Division
Quarter-end statement for General Checking Account
Quarter-end statement for City of Blythe Project Account
Asset Forfeiture Accounts (use of these funds is restricted)

There are also cash deposits held in trust in a Police "confiscated evidence account." These deposits are not City funds and will eventually be distributed to the owners or other Agencies.

Redevelopment Agency

Quarter-end statements from LAIF with accompanying attachments from the State Treasurer's Investment Division
Quarter-end statement for the Agency Checking Account

There are also cash deposits held in bond reserve accounts with First Trust (formerly Bank of America Trust). Their use is limited to guaranteeing debt service. When the debt is retired (the first in approximately 20 years), any balances will be returned to the Agency.

All investment actions executed since the last report have been made in full compliance with the City's Investment Policy. As required by Government Code Section 53646 (b) (3) to be denoted, the City of Blythe is capable of meeting its expenditure requirements for the next six months.

Respectfully submitted,

Leann Kay Martin City Treasurer

State of California Pooled Money Investment Account Market Valuation 6/30/2007

	702 2 S C C C C C C C C C C C C C C C C C	Carrying Cost Plus						
Description	Acc	rued Interest Purch.		Amortized Cost	1	Fair Value	Α	ccrued Interest
United States Treasury:			-				-	
Bills	\$	3,326,633,305.52	\$	3,360,418,277.71	\$	3,362,656,000.00		NA
Notes	\$	-	\$	-	\$		\$	107
							Ť	
Federal Agency:						· · · · · · · · · · · · · · · · · · ·		
SBA	\$	635,339,810.23	\$	635,281,502.24	\$	629,833,742.63	\$	5,913,571.51
MBS	\$	865,081,578.32	\$	865,081,578.32	\$	840,265,076.40	\$	4,003,110.03
Bonds	\$	6,852,130,698.55	\$	6,849,034,842.98	\$	6,842,817,374.20	\$	103,190,047.10
Floaters	\$	644,880,098.19	\$	644,830,951.97	\$	644,970,550.00	\$	5,589,041.50
Discount Notes	\$	5,718,179,845.68	\$	5,738,024,059.62	\$	5,740,085,600.00		NA
FHLMC PC	\$	473,457.83	\$	473,457.83	\$	487,775.23	\$	7,691.36
GNMA	\$	208,808.04	\$	208,808.04	\$	231,054.14	\$	2,074.80
Bankers Acceptances	œ.		•		_			A
Bank Notes	\$ \$	1,300,000,000.00	\$	4 200 000 000 00	\$	4 000 000 005 00		NA
CDs	\$		 `	1,300,000,000.00	\$	1,299,968,025.00	\$	15,556,486.11
Commercial Paper	э \$	15,594,464,281.53	\$	15,594,088,516.53	\$	15,594,616,237.35	\$	155,558,942.14
Commercial Paper	Þ	14,375,797,759.63	\$	14,470,094,812.93	\$	14,471,656,844.17	-	NA
Corporate:				· · · · · · · · · · · · · · · · · · ·		, , , , , , , , , , , , , , , , , , , ,		
Floaters	\$	129,032,594.05	\$	129,032,594.05	\$	129,028,000.00	\$	705,096.94
Bonds	\$	256,017,471.12	\$	254,778,688.02	\$	254,800,326.96	\$	4,059,292.06
Repurchase Agreement	6						<u> </u>	
			\$	**	\$		<u> </u>	NA
Reverse Repurchase	\$	-	\$	~	\$	-	\$	14 *
Time Deposits	\$	8,740,495,000.00	\$	8,740,495,000.00	\$	8,740,495,000.00		NA
AB 55 & GF Loans	\$	7,204,754,327.40	\$	7,204,754,327.40	\$	7,204,754,327.40		NA
TOTAL	\$	65,643,489,036.09	\$	65,786,597,417.65	\$	65,756,665,933.48	\$	294,585,353.55
	- +	23,0 10, 100,000.00	Щ_	00,117,100,001,1717	Ψ	00,700,000,000,40	Ψ	204,000,000.00

Fair Value Including Accrued Interest

\$ 66,051,251,287.03

Repurchase Agreements, Time Deposits, AB 55 & General Fund loans, and Reverse Repurchase agreements are carried at portfolio book value (carrying cost).

The value of each participating dollar equals the fair value divided by the amortized cost (.999545022). As an example: if an agency has an account balance of \$20,000,000.00, then the agency would report its participation in the LAIF valued at \$19,990,900.43 or \$20,000,000.00 x .999545022.

STATE OF CALIFORNIA BILL LOCKYER, Treasurer

OFFICE OF THE TREASURER

SACRAMENTO

Local Agency Investment Fund PO Box 942809 Sacramento, CA 94209-0001 (916) 653-3001 www.treasurer.ca.gov/pmia-laif



June, 2007 Statement

CITY OF BLYTHE

Attn:

DIRECTOR OF FINANCE

235NORTH BROADWAY BLYTHE CA 92225 Account Number:

Account Summary

Total Deposit:

0.00

Beginning Balance:

19,486.10

Total Withdrawal:

0.00

Ending Balance:

19,486.10

14

Page: 1 of 1



UNION BANK OF CALIFORNIA

GOVERNMENT SERVICES- SOUTH 274
POST OFFICE BOX 24512
OAKLAND CA 94623-1512

Page 1 of 4
** INTEROFFICE MAIL ** 4-408
Statement Number:
06/01/07 - 06/29/07

Customer Inquiries 800-798-6466

Thank you for banking with us since 1967

** INTEROFFICE MAIL ** 4-408 CITY OF BLYTHE GENERAL ACCOUNT WILL CALL

Public Fund Checking Summary

Account Number:

Days in statement period: Days in statement period: 29

Balance on 6/1 388,726,35 **Total Credits** 3,733,537.24 Deposits (27) 3,512,997.54 Electronic credits (6) 220,539.70 **Total Debits** -3,956,717.39 Checks paid (14) -1,018,704.25 -170,729.92 Electronic debits (4) ZBA debits (41) -2,766,584.68 Other debits (6) -698.54 Balance on 6/29 165,546.20

CREDITS

Deposits including check and cash credits

Date	Description/Location	Reference	Amount
6/1	OFFICE DEPOSIT	46274756 \$	11,628.02
6/4	OFFICE DEPOSIT	46507456	39,419.87
6/5	OFFICE DEPOSIT	46643579	61,121.25
6/6	OFFICE DEPOSIT	46766665	48,030.83
6/7	OFFICE DEPOSIT	46796634	25.00
6/7	OFFICE DEPOSIT	46849285	45,412.60
6/8	OFFICE DEPOSIT	44163521	213,451.18
6/11	OFFICE DEPOSIT	45765771	113,728.53
6/12	OFFICE DEPOSIT	47876337	40.00
6/12	OFFICE DEPOSIT	44394767	87,699.57
6/13	OFFICE DEPOSIT	46410958	34,034.94
6/14	OFFICE DEPOSIT	47104886	20.00
6/14	OFFICE DEPOSIT	47151649	39,175.12
6/15	OFFICE DEPOSIT	46536152	20.00
6/15	OFFICE DEPOSIT	44688405	364,594.99
6/18	OFFICE DEPOSIT	46801804	689,615.90
6/19	OFFICE DEPOSIT	45418833	73,619.33
6/20	OFFICE DEPOSIT	47673364	40.00
6/20	OFFICE DEPOSIT	46046869	8,767.79
6/21	OFFICE DEPOSIT	44084564	10,409.33
6/22	OFFICE DEPOSIT	45739800	158,485.67
6/25	OFFICE DEPOSIT	44288493	38,472.78
			, – –



UNION BANK OF CALIFORNIA

GOVERNMENT SERVICES - SOUTH 274 POST OFFICE BOX 24512 OAKLAND CA 94623-1512

Page 1 of 1 ** INTEROFFICE MAIL ** 4-408 Statement Number: 06/01/07 - 06/29/07

Customer Inquiries 800-798-6466

Thank you for banking with us since 1967

** INTEROFFICE MAIL ** 4-408 CITY OF BLYTHE PROJECT ACCOUNT WILL CALL

Business MoneyMarket Account Summary

Account Number: .

Days in statement period: Days in statement period: 29 Balance on 6/1 481,212.41 **Total Credits** 453.07 Interest Other credits (1) 453.07 Paid this period \$ 453.07 **Total Debits** 0.00 Paid year-to-date \$ 2,872.99 Balance on 6/29 \$ Interest Rates 481,665.48 6/1/07-6/29/07 1.05%

CREDITS

Other credits and adjustments

Date	Description/Location	Reference	Amount
6/29	INTEREST PAYMENT	\$	453.07

DEBITS

Daily Ledger Balance

Date	Ledger Balance	Date	Ledger Balance
6/1-6/28	\$ 481,212.41	6/29	\$ 481,665.48



UNION BANK OF CALIFORNIA

GOVERNMENT SERVICES- SOUTH 274
POST OFFICE BOX 24512
OAKLAND CA 94623-1512

Page 1 of 1 CITY OF BLYTHE Statement Number: 06/01/07 - 06/29/07

Customer Inquiries 800-798-6466

Thank you for banking with us since 1967

CITY OF BLYTHE ASSETT FORFEIT ACCOUNT 240 N SPRING ST BLYTHE CA 92225-1635

Business MoneyMarket Account Summary

Account Number: -

Days in stat	tement period: Days in statement	period: 29				
	Balance on 6/1	\$		53,166.11		
	Total Credits			44.95	Interest	•
	Other cred	dits (1)	44.95		Paid this period	\$ 44.95
	Total Debits	` '		0.00	Paid year-to-date	\$ 281.49
	Balance on 6/29	\$		53,211.06	Interest Rates	
		•			6/1/07-6/29/07	1.05%

CREDITS

Other credits and adjustments

Date	Description/Location	Reference	Amount
6/29	INTEREST PAYMENT	\$	44.95

DEBITS

Daily Ledger Balance

 Date	Ledger Balance	Date	Ledger Balance
6/1-6/28	\$ 53,166.11	6/29	\$ 53,211.06



Rabobank
Last statement: May 31, 2007
This statement: June 29, 2007

Total days in statement period: 29

Page 1 of

(0)

Direct inquiries to: 888-945-6600

BLYTHE POLICE DEPARTMENT FEDERAL ASSET FORFEITURE ACCOUNT 235 N BROADWAY BLYTHE CA 92225-1609

Rabobank 149 E Hobsonway Blythe CA 92225

Public Money Market

Account number
Avg collected balance
Interest paid year to date

\$10,718.00 Tota

\$48,94

Beginning balance Total additions Total subtractions \$10,718.43 6.82 0.00

Ending balance

\$10,725.25

CREDITS

Date Description
06-29 Interest Credit

Additions 6.82

DAILY BALANCES

Date Amount 05-31 10,718.43

 Date
 Amount

 06-29
 10,725.25

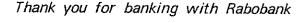
Date Amount

INTEREST INFORMATION

Annual percentage yield earned interest-bearing days
Average balance for APY interest earned

0.80% 29

\$10,718.43 \$6.82





BILL LOCK YER, Treasurer

OFFICE OF THE TREASURER

SACRAMENTO

Local Agency Investment Fund PO Box 942809 Sacramento, CA 94209-0001 (916) 653-3001 www.treasurer.ca.gov/pmia-laif



June, 2007 Statement

BLYTHE REDEVELOPMENT AGENCY

Attn:

DIRECTOR OF FINANCE

235 NORTH BROADWAY

BLYTHE CA 92225

Account Number:

Account Summary

Total Deposit:

0.00

Beginning Balance:

15,308,129.08

Total Withdrawal:

0.00

Ending Balance:

15,308,129.08

19



Rabobank

Last statement: May 31, 2007 This statement: June 29, 2007 Total days in statement period: 29

BLYTHE REDEVELOPMENT AGENCY

235 N BROADWAY

BLYTHE CA 92225-1609

Page 1 of 2

(1)

Direct inquiries to: 888-945-6600

Rabobank 149 E Hobsonway Blythe CA 92225



Public Interest Checking

Account number

Enclosures

Avg collected balance Interest paid year to date Beginning balance

Total additions

Total subtractions Ending balance \$2,132,625.81

891,014.31

1,313,114.00 \$ 1,710,526.12

CHECKS

Number	Date	Amount
1395	06-28	1,313,114,00

Number Date Amount

CREDITS

Date	Description	
06-04	' Deposit	Additions
06-11	' Deposit	3,149.11
06-15	Deposit	161,648.83
06-18	Deposit	224,904.02
06-22	Deposit	476,259.28
06-27	Deposit	707.49
06-29	Interest Credit	23,953.58
		392.00

\$2,466,873.00

\$866.09

DAILY BALANCES

Date	Amount	Date	· .		
05-31	2,132,625.81	06-15	Amount	Date	Amount
06-04	2,135,774.92	06-18	2,522,327.77	06-27	3,023,248.12
06-11	2,297,423.75		2,998,587.05	06-28	1,710,134,12
		06-22	2,999,294.54	06-29	1,710,526.12

INTEREST INFORMATION

Annual percentage yield earned Interest-bearing days Average balance for APY Interest earned

0.20% 29 \$2,466,873.02 : \$392.00

Thank you for banking with Rabobank



Blythe Police Department Monthly Activity Report July 2007

ACTIVITY	TOTAL	YTD
Police Officer Activity Animal Control Activity	1,641 164	12,604 999
Ambulance Dispatch`	235	1,512
Air Ambulance Dispatch	31	154
Fire Dispatch	22	117
Total Calls for Service	2,093	15,386
Traffic Accidents	31	205
Hit and Run	6	50
Injury Traffic Accidents	4	26
Number of persons injured	4	30
Arrests	88	954
Adults Arrested	71	494
Juveniles Arrested	17	460
Warrant Arrests	5	36
Citations	59	476
Traffic	55	397
Harbor & Navigation	1	11
Parking	2	56
Municipal Code	1	12
9-1-1 Calls	562	4099
Department Miles	20822	150217
Department Hours	6421.05	45880.46
Regular Hours	5797	40707.75
Workers Compensation Time	60	256
Vacation Time	435	1658.88
Holiday Time	40	384
Sick Time	208	1150.9
Overtime	624.05	4812.13
Training	1060	7305.36
Other	144	761

July 2007

Sat		14 CAL PAL Life After High School	21	28	
	Φ	13 CAL PAL Life After High School – 6 Blythe PAL participants	20	27	
Thu	Ω	12 2 Bicycle helmets give-a-way 1 booster seat installation	19	26 CAL PAL Beach Playday	
Wed		-	18 2 booster seat installation	25 CAL PAL Beach Playday- 49 Blythe PAL participants	
Tue	n	10	17	24	Stranger Danger/Bicycle Safety @ Villa Monterey 4 Bicycle Helmet Give-a-way 3 booster seat installation
Mon		O	16	23	30
Sun		Φ	5	22	29

Code Section Tally from 7/ 1/2007 to 7/31/2007

to en les con	Code Section	Description	Number of Occurences
	10.04.200(11.16) BMC	PRKG COMMERCIAL VEHS IN RESDNTL PRO	1
	10851(A) VC	TAKE VEHICLE W/O OWNER'S CONSENT/VEH	3
	11550(A) HS	Under influence/addict	1
	11590 HS	Narcotic Offender Required to Register	8
	12025(A)(2) PC	CARRY CONCEALED PISTOL/REVOLVER/FIRI	1
	12031 PC	Loaded Firearm/Public Place	1
	12303 PC	Poss destructive device	1
	12500(A) VC	Unlicensed driver	7
	140 PC	THREATEN WITNESS/VICTIM OF CRIME	1
	14601.1(A) VC	DRIVERS LICENSE SUSPENDED OR REVOKE	2
	14601.2(A) VC	DRIVE WHILE LICENSE SUSPENDED FOR DU	2
	20002 VC	Hit and run	6
	212.5(A) PC	ROBBERY:FIRST DEGREE	1
	21201(D)(1) VC	Bicycle w/o light during hrs of darkness	1
	21453A VC	Stop for red signal	5
	21453C VC	Movement prohibited by red arrow signal	1
	22350 VC	Unsafe speed	13
	22450(A) VC	FAILURE TO STOP AT LIMIT LINE	4
	22502(A) VC	Park parallel/rt tires w/in 18" of curb	1
	22507.8(A) VC	Restricted Parking/physical handicap	1
	22651(K) VC	Abated Vehicle	1
	22651(O) VC	Storage/Expired Registration	4
	23110(A) VC	Throw substance at veh/misd	1
	23152(A) VC	DUI alcohol and/or drugs	8
	23222A VC	Alcohol/personal possession by driver	1
	242 PC	Battery	11
	24252A VC	Maintain lighting devices in good repair	2
	243(B) PC	BATTERY ON PEACE OFF/EMER PERSONEL	3
	243(E)(1) PC	BATTERY ON NONCOHIBITATING FORMER S	2
	24400 VC	Headlamps required	1
	24403(A) VC	IMPROPER USE OR NUMBER OF FOG LAMPS	1
	24409A VC	Failure to dim for approaching vehicle	1
	245(A)(1) PC	Assault with a deadly weapon/GBI likely	3
	25662(A) BP	MINOR POSSESS ALCOHOL	1

Code Section Tally from 7/ 1/2007 to 7/31/2007

	Code Section	Description	Number of Occurences
	261.5(A) PC	UNLAWFUL SEX W/MINOR UNDER 18 YOA	1
	26710 VC	Defective windshield	3
	273.5 PC	Corporal Injury/Spouse	2
	273.5(A) PC	Inflict injury on spouse	1
	273.6 PC	Fail to obey restraining order	1
	273.6(A) PC	Violate court order preventing domestic	2
	27315(D)(1) VC	Seat belts priv pass veh,4 yrs and over	7 .
	27360.5(A) VC	4 YRS/40 LBS OR MORE/UND 16, RESTRAINE	1
	278 PC	Child stealing	1
	288(A) PC	L & L acts with child under 14	2
	4000(A)(1) VC	Unregistered vehicle	2
	4140 BP	POSSESS HYPODERMIC NEEDLE/SYRINGE	1
	415 PC	Disturbing the peace	1
	415(1) PC	Fight/challenge fight pub plc	3
	417(A)(1) PC	Exhibit deadly weapon other than firearm	3
	4463(A)(2) VC	FORGE, ATT TO PASS AUTO REGISTRATION	1
٠	452(C) PC	Unlawful fire structure or forest land	1
	452(D) PC	Arson/Property	1
	459 PC	Burglary	21
	476 PC	Fictitious checks	3
	484G PC	THEFT BY USE OF ACCESS CARD	1
	485 PC	THEFT OF FOUND PROPERTY	1
	487 PC	Grand theft/unspecified	1
	487(A) PC	GRAND THEFT/PROP EXCEEDING \$400	6
	488 PC	Petty theft	23
	490.5 PC	Petty theft/retail merchandise	13
	503/M PC	EMBEZZLEMENT	4
	5150 WI	Psychiatric Detention	9
	530.5(A) PC	USE OTHERS ID TO OBTAIN MONEY/CREDIT	5
	594(2)(A) PC	vandalism less than \$400	1
	594(A)(1) PC	Vandalism, defacing w/paint, liquid	22
	594(B)(1) PC	Vandalism (\$400 or more)	1
	594(B)(2) PC	Vandalism (less than \$400.00)	12
	597(A) PC	Cruelty to animals/fel	1

Code Section Tally from 7/ 1/2007 to 7/31/2007

 Code Section	Description	Number of Occurences
 6.16.030(A) BMC	DOGS AT LARGE (LOOSE)	14
601/D WI	RUNAWAY	1
601/R WI	*Runaway	6
602 PC	Trespass	3
602(L) PC	Trespass/occupy prop w/o consent	4
602.1(A) PC	TRESPASS/INTERFERE W/BUSINESS	2
647(F) PC	Under influence	11
653M PC	Annoying telephone calls	3
655.7(C) H&N	SPLASHING	1
664/459 PC	Attempt burglary-not specified	4
666 PC	Petty theft w/prior	1
9.72.030 BMC	LOITERING PUBLIC PLACE (CURFEW)UND 18	4
ACC/NR	Accident: no report filed	12
ACI	Injury Accident	3
ACIB	ACCIDENT-INJURY/NO CITATION/BICYCLE	# 1
ACINOCV	ACC-INJ-NO CITATION-INV VESSEL	1
ACN	Non-Injury Accident	7
ADM	Administrative Detail	9
AIR	AIR AMBULANCE/ CC GROUND TRANSPORT	31
ALC	Commercial Alarm	24
ALF	ALARM/FIRE	2
ALR	Residential Alarm	7
AN1	DEAD DOG	1
AN2	DEAD CAT	8
AN3	OTHER DEAD ANIMAL	1
ANA	DOG BITE/SCRATCH	2
ANB	ANIMAL BITE/SCRATCH	1
ANC	Cat Pick Up	29
AND	Dog Pick Up	21
ANE	OTHER ANIMAL P/U	1
ANF	Animal Case Work	74
ANW	ANIMAL VIOLATION WARNING	6
AOD	ASSISTING OTHER AGENCIES	20
ASC	Citizen Assist	4

Code Section Tally from 7/ 1/2007 to 7/31/2007

Code Section	Description	Number of Occurences
 ATC	Attempt to Contact	8
ATL	Attempt to Locate	11
BC	BAR CHECK	40
СНО	CIVIL HARASSMENT ORDER	1
CIV	Civil Problem/Standby/etc.	61
CPO	CRIMINAL PROTECTIVE ORDER (136.2(G) PC	5
FD	FLAG DOWN	17
FiR	FIRE DEPT DISPATCH	22
FU .	Follow-up Casework	64
HAZ	Street or traffic equipment hazard	19
INF	Information Report	75
JUV	Juvenile Problem	52
LOI	Loitering Complaint	13
LOST/STOL PROP	LOST OR STOLEN PROPERTY	8
MD	MEDICAL AID	235
MIS	Missing Person Investigation	3
OAH	ORDER AFTER HEARING	1
OD	OPEN DOOR	4
PC	PROPERTY CHECK	132
PD	PEDESTRIAN CHECK	81
PRF	Found Property	4
PRF CNTB	FOUND CONTRABAND PROPERTY	1
PRL	Lost Property	2
PROB/PAR SEARCH	PROBATION/PAROLE SEARCH	1
PS	PUBLIC/COMMUNITY SERVICE	46
RD TG	RED TAG VEH/72 HR REMOVAL WARNING	10
SUS	Suspicious person/vehicle/circumstance	190
T	TRAFFIC STOPS	19
TRO	Temporary Restraining Order	12
TW	Traffic stop-Warning	131
TX PERM	TAXI PERMIT	1
UNA	Unattended Death	1
VC	VEHICLE CHECK	57
VEH REPO	VEHICLE REPOSSESSION	7

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Code Section Tally from 7/1/2007 to 7/31/2007

Code Section	Description	Number of Occurences
VERB	verbal/noise disturbance	126
WAR	Warrant service	17
WC	WELFARE CHECK	28
WS	ATT/WARRANT SERVICE	1
WVA	BOATING/WATER VESSEL ACTIVITY	4
WVW	WATER VESSEL WARNING	3
Z No Code Section		2
GRAND TOTAL		2,093

BLYTHE POLICE DEPARTMENT Incident Search Report 7/1/2007 TO 7/31/2007

AC
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Incident - Sup	D.R. Number	Report Date/Time Ti	Time Title Disp	Code Section	WU DV HC FORCE Of	Officer Location	
070701021	072471	07/01/2007 11:08	11:08 AC CO	ACIB 21650.1 VC	X152	2 HOBSONWAY/DATE RD	The state of the s
070703046		07/03/2007	15:25 AC CO	ACC/NR	X157	7 300 BLK N 5TH ST	
070706061		07/06/2007	18:13 AC CO	ACC/NR	X153	3 149 E HOBSONWAY	
070708021	072556	07/08/2007	11:10 AC CO	ACN	X152	2 HOBSONWAY/ARROWHEAD	
070708027		07/08/2007	17:37 AC CO	ACC/NR	X157	7 BROADWAY/ CHANSLORWAY	
070709012	072564	07/09/2007	08:16 AC CO	20002 VC	X157	7 301 N MAIN	
070711009	072594	07/11/2007	07:18 AC CO	ACI	X159	9 1251 E 14TH	
070712033	072605	07/12/2007 15:40	15:40 AC CC	ACN 21802A VC	X132	2 HOBSONWAY/ASH	
070713029	072622	07/13/2007	16:40 AC CA	23152(A) VC 23152(B) VC 16020(A) VC 12500(D) VC 4000(A)(1) VC	X132	2 200 BLK E MURPHY	
070713030	072623	07/13/2007	16:57 AC S	-20002 VC	X159	9 9080 E HOBSONWAY	
070714047	072628	07/14/2007	20:26 AC S	20002 VC	X132	2 500 N BROADWAY	
070714061	072632	07/14/2007	23:09 AC CO	ACN	X132	2 200 BLK MARIPOSA	
070715037		07/15/2007	12:48 AC CO	ACC/NR	X103	3 210 S 4TH	
070715034	072638	07/15/2007	12:50 AC CO	ACN	X152	2 DONLON/W OF 7TH ST	
070715039	072640	07/15/2007	13:37 AC CO	ACN	X103	3 19025 WILEYS WELL RD	
070715043		07/15/2007	16:38 AC CO	ACC/NR	X157	7 1101 W HOBSONWAY	
070717008		07/17/2007	07:43 AC CO	ACC/NR	X152	2 118 W RICE	
070718016		07/18/2007	08:16 AC CO	ACC/NR	X132	2 532 N EUCALYPTUS	
£ 970718031		07/18/2007	12:21 AC CO	ACC/NR	X132	2 120 S LOVEKIN	
C 0 70719039	072708	07/19/2007	15:11 AC CO	. ACI	X132	E HOBSONWAY/E OF OLIVE LAKE	t i.i

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Page 2 of 2

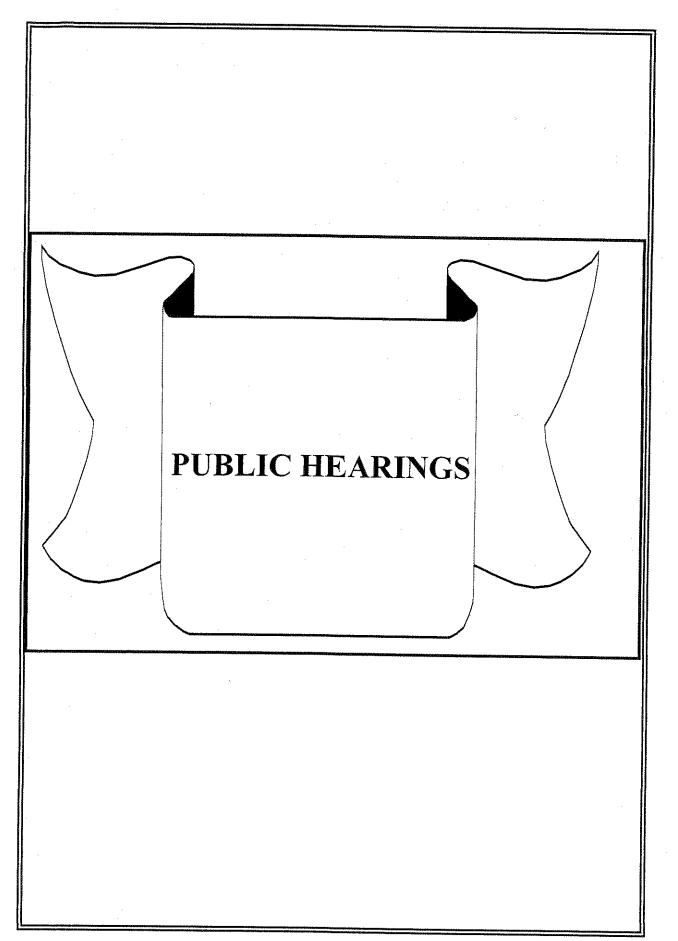
BLYTHE POLICE DEPARTMENT Incident Search Report 7/ 1/2007 TO 7/31/2007 Titles: AC

	A STATE OF THE STA	Confidential Control of the Control	And the State of t				
Incident - Sup	D.R. Number	Report Date/Time Title Disp	Title Disp	Code Section WU DV HC FORCE Officer Location	Officer	Location	
070720027	072716	07/20/2007 11:09	11:09 AC S	ACN	X137	200 BLK W HOBSONWAY	
070720036	072718	07/20/2007 13:42	13:42 AC S	20002 VC	X137	HOBSONWAY/INTAKE	
070720068	072727	07/20/2007 20:21	20:21 AC CA	23152(A) VC 243(B) PC 14	X132	100 BLK E HOBSONWAY	
070723015	072752	07/23/2007 12:21	12:21 AC S	20002 VC	X157	350 E HOBSONWAY	
070723025		07/23/2007 13:38	13:38 AC CO	ACC/NR	X132	190 S LOVEKIN	
070726056	072814	07/26/2007 20:40	20:40 AC S	20002 VÇ	X153	840 E HOBSONWAY	
070727031	072818	07/27/2007 10:53	10:53 AC CO	ACN	X137	840 E HOBSONWAY	
070727033		07/27/2007 11:58	11:58 AC CO	ACC/NR	X137	120 S LOVEKIN	
070728033		07/28/2007 14:44	14:44 AC CO	ACCINR	X137	253 N 3RD	
070730023	072864	07/30/2007 11:57	11:57 AC CO	ACI	X132	HOBSONWAY/SOLANO	
070731052		07/31/2007 14:59	14:59 AC CO	ACC/NR	X157	1400 BLK W HOBSONWAY	

31 INCIDENTS FOUND

BLYTH	E POLICE	DEPARTME	NT
		STATISTICS	
	URS WOR		
	JULY 2007		
	JULI 200		
**EXCLUDES LT, CAPT. & COP	SWORN	NON-SWORN	
REGULAR HOURS	3690.5	2106.5	
WORKMAN'S COMP	60	0	
VACATION	304	131	
HOLIDAY	0	10	
SICK	168	40	
BANKED OT	39.5	12	
ОТ	553.25	19.3	
COURT	35	0	
OFFSITE TRAINING	24	0	
ONSITE TRAINING	724	312	
COMP USED ADMIN/TIME OFF	0	0	
ADMIN/TIME OFF ADMIN LEAVE	0	0	
BEREAVEMENT LEAVE	0	8	
JURY DUTY	0	32	
DISABLILITY	0	104	
DIOADELETT		104	
TOTAL HOURS WORKED	6421.05		
WORKERS COMP	60.00		
VACATION TIME	435.00		
HOLIDAY	40.00		
SICK TIME	208.00		
OVERTIME	624.05	7	
TRAINING	1060.00		The state of the s
OTHER	144.00		PHIA.41 (FA.1)





August 28, 2007

SUBJECT:

Conditional Use Permit 2006-08

LOCATION:

1205 West Hobsonway - Assessor's Parcel Number 836-180-026

OWNER(S):

Romeo & Maria Ang 326 North Acacia Blythe CA 92226

AGENT:

Robert Means

250 East Hobsonway Blythe CA 92225

GENERAL PLAN LAND USE AND ZONING DESIGNATION: CG (General Commercial) SURROUNDING ZONING AND LAND USES:

NORTH: CG (General Commercial), RL1 (Low Density Residential), RL2 (Low Density

Residential) - Occupied commercial property, vacant and occupied residential

properties, West Barnard Street;

SOUTH: CG (General Commercial) - Vacant and occupied commercial properties, Interstate

Highway 10;

EAST: CG (General Commercial) - Vacant and occupied commercial and industrial

properties, North Carlton; and,

WEST: CG (General Commercial) - Occupied commercial properties, Riverside County.

PROJECT DESCRIPTION: The proposed project entails the rehabilitation of the [former] Winston Tire building and subsequent use of said building as a drive-thru market and adult day care center. The rehabilitation of the building and its use as a drive-thru market are allowed by right in the General Commercial zone. The adult day care center requires issuance of a Conditional Use Permit by the Blythe City Council. As part of the proposed project, exterior elements of the site (i.e. parking, landscaping) will also be rehabilitated and brought into compliance with current ADA and zoning requirements.

BACKGROUND: This item was presented for Public Hearing at the February 6, 2007, meeting of the Planning Commission. At that time, staff was unable to make a recommendation relative to approval of the Conditional Use Permit for the adult day care center because the required findings [regarding conflicts] could not be made and the item was continued to the meeting of March 6, 2007.

Pursuant to Commission direction during the February 6th meeting, staff met with the project applicant and agent to discuss mitigation techniques that are appropriate and feasible to alleviate the potential conflicts between the [two] proposed uses. Following is a summary of the [potential] conflicts identified by staff and the Commission and the proposed mitigation techniques previously referred to. A diagram showing the location of the physical improvements referred to below may be found as *Attachment F* to this report. Additionally, the improvements have been added to the list of conditions as Conditions of Approval Nos. 34 through 39.

ISSUES IDENTIFICATION/RESOLUTION:

Pedestrian / Vehicle Conflicts

o The applicant proposes to construct a 42" high decorative slump block wall along the [south] drive thru lane to prevent 1) pedestrian crossing outside of the designated "crosswalk" and 2) to prevent vehicles from passing through the loading/unloading and parking area where pedestrians may be present while accessing their vehicles or moving toward the parking area to the west.

Patio Security

o The applicant proposed to construct a 42" high decorative slump block wall with wrought iron fencing (to a maximum of 6') around the perimeter of the patio. A security gate will be installed that will allow emergency egress from the patio, but will prevent entrance into the patio area by the general public. An alarm may be installed on the gate to notify center staff when the gate has been opened.

• Center Security / Access

The applicant has indicated that a manned reception desk will be located at or near the primary entrance to the center. Each resident will be required to sign-in upon arrival and sign-out upon departure. The manned reception desk is also intended to prevent unauthorized access to the center and/or the patrons of the center.

Patron and Staff Parking

- Two of the parking spaces shown on the original site plan will be designated as loading / unloading spaces. Appropriate signage will be installed.
- The balance of the parking spaces provided near the Adult Day Care Center will be designated for patron parking, with a minimum of one ADA accessible space appropriately designated, signed and striped.
- o Staff parking will be accommodated to the west of the building, in the existing, shared parking area that serves the balance of the shopping/professional center.

PLANNING COMMISSION ACTION: Public Hearing (February 6, 2007) - Director Wellman provided the staff report for the Public Hearing on Conditional Use Permit (CUP) 2006-08, being a request to convert an existing building located at 1205 West Hobsonway into a drive-thru market and adult day care center. The drive-thru market is an allowed use for the site and the adult day care center requires the issuance of a Conditional Use Permit. Chairperson Jessop-Watkins opened the Public Hearing.

Applicant's Agent, Bob Means, provided a brief overview of the project addressing concerns set forth in the staff report. The project applicant was present in the audience. There having been no further comment, the Public Hearing was then closed. Lengthy discussion was held between the Applicant, Agent, Commission and Staff. At conclusion of said discussion, Commissioner Copple entered a motion to continue the matter to allow time for the Planning staff and the Applicant/Agent to discuss options in addressing the current pedestrian and traffic conflicts associated with the project as proposed. Commissioner Bolliger seconded the motion. 5-0 Aye vote. Matter was continued.

Continued Item (March 6, 2007) - Director Wellman provided the staff report for the continued hearing on Conditional Use Permit (CUP) 2006-08, being a request to convert an existing building located at 1205 West Hobsonway into a drive-thru market and adult day care center. The drive-thru market is an allowed use for the site and the adult day care center requires the issuance of a Conditional Use Permit. Secretary Burrow advised the Commission that the Applicant's Agent, Bob Means, was not going to be present due to illness. There was no appearance by the applicant. Chairperson Jessop-Watkins opened the matter for public comment. Absent any public comment, the matter was then referred to the Commission for dialogue on the issues. Commissioner Vikse indicated that in his opinion, the 42" wall "makes the project

worse, not better, especially for ADA accessibility." Commissioner Vikse was concerned about handicap persons having to cross over the store's drive-thru lane of traffic. Chairperson Jessop-Watkins also raised concern that persons leaving the building would exit directly into the "drive-thru" traffic. Commissioner Copple commented on the limited space availability on the drive-thru lane and the encroachment of same into the bus and van loading & delivery area for the day care center. Chairperson Jessop-Watkins presented information regarding the use of surrounding facilities in the area and the types of clients that will frequent the area (i.e. County Mental Health Building, Substance Abuse Program Office, Employment Development Department, Child Protective Services, Doctor's offices, etc.). Chairperson Jessop-Watkins commented on the likely incompatible interaction between said clients and the senior patrons of the day care center. Commissioner Copple addressed the need for the type of service proposed in the day care center and understanding of the need for one business to support the other, as indicated by the applicant at the last meeting. Vice Chairperson Maley indicated the benefit received to the City in the rehabilitation of a blighted building.

Director Wellman provided explanation of the necessary findings for the project. Director Wellman proposed adding a condition of approval that required the applicant to receive quarterly reviews for the first year before actual approval of the Conditional Use Permit for an extended period of time. Said reviews would allow the City to monitor the day care center and its compatible use next to the market.

Subsequent to discussion held, Vice Chairperson Maley entered a motion to recommend to City Council approval of the Notice of Exemption prepared for Conditional Use Permit 2006-08. Commissioner Bolliger seconded the motion. 5-0 Aye vote. Thereafter, Commissioner Bolliger entered a motion to recommend to City Council approval of Conditional Use Permit 2006-08, subject to conditions. Vice Chairperson Maley seconded the motion. 4-1 Aye vote. Chairperson Jessop-Watkins explained that her no vote was based on her belief that findings number(s) 4 and 5 (i.e. compatibility) could not be made as required for a recommendation of approval.

STAFF ANALYSIS: While use of the building as an adult day care center or a drive-thru market makes good sense, combined use of the site as proposed is still of some concern to staff. Specifically, conflicts that may arise when two such opposite uses and potentially opposite populations are brought together. However, the applicant has indicated her willingness to comply with the [current] revised Draft Conditions of Approval which are intended to reduce / eliminate conflicts between the uses and populations.

FINDINGS:

- 1. The proposed use is one conditionally permitted within the subject zone and complies with all of the applicable provisions of the Zoning Ordinance.
- 2. The proposed use would not impair the integrity and character of the district in which it is to be located.
- 3. The subject parcel is physically suitable for the type of land use being proposed.
- 4. The proposed location of the conditional use and the conditions under which it will be operated and maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- 5. The proposed use is compatible with the existing uses on the project site and uses within the project vicinity.
- 6. There are adequate provisions for water, sanitation and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.

- 7. The proposed project is exempt from the provisions of CEQA pursuant to Section 15301 Existing Facility of the CEQA Guidelines...
- 8. The environmental analysis of the project reflects the independent judgment of the City of Blythe.

ENVIRONMENTAL REVIEW: The City of Blythe has determined that this project is exempt from provisions of CEQA pursuant to Section 15301 *Existing Facilities* of the CEQA Guidelines and a Notice of Exemption will be filed.

STAFF RECOMMENDATION: It is recommended that the City Council, subsequent to the public hearing thereon:

- 1. Adopt Resolution 07-721 Approving the Notice of Exemption prepared for Conditional Use Permit 2006-08; and,
- 2. Adopt Resolution 07-722 Approving Conditional Use Permit 2006-08, subject to conditions as attached.

ATTACHMENTS:

- A. Resolution 07-721, with Exhibit A
- B. Notice of Determination
- C. Notice of Exemption
- D. Resolution 07-722, with Conditions of Approval
- E. Plot Plan, Building Elevation, Site Details
- F. Diagram showing location of physical improvements

Respectfully Submitted:

Jennifer L. Wellman, AICP
Planning Director

Concurrence:

Les Nelson
City Manager

RESOLUTION NO. 07-721

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF A NOTICE OF EXEMPTION FOR CONDITIONAL USE PERMIT 2006-08

WHEREAS: The City Council of the City of Blythe at its regularly scheduled meeting of June 26, 2007, conducted a public hearing to consider Conditional Use Permit 2006-08 being a request to allow the conversion of an existing building located at 1205 West Hobsonway into a drive-thru market and adult day care center. The General Plan Land Use and Zoning designation of the site is CG (General Commercial). The drive-thru market being an allowed use in the General Commercial zone. The adult day care center requiring issuance of a Conditional Use Permit by the Blythe City Council. The project site is legally described as Assessor's Parcel Number 836-180-026; and

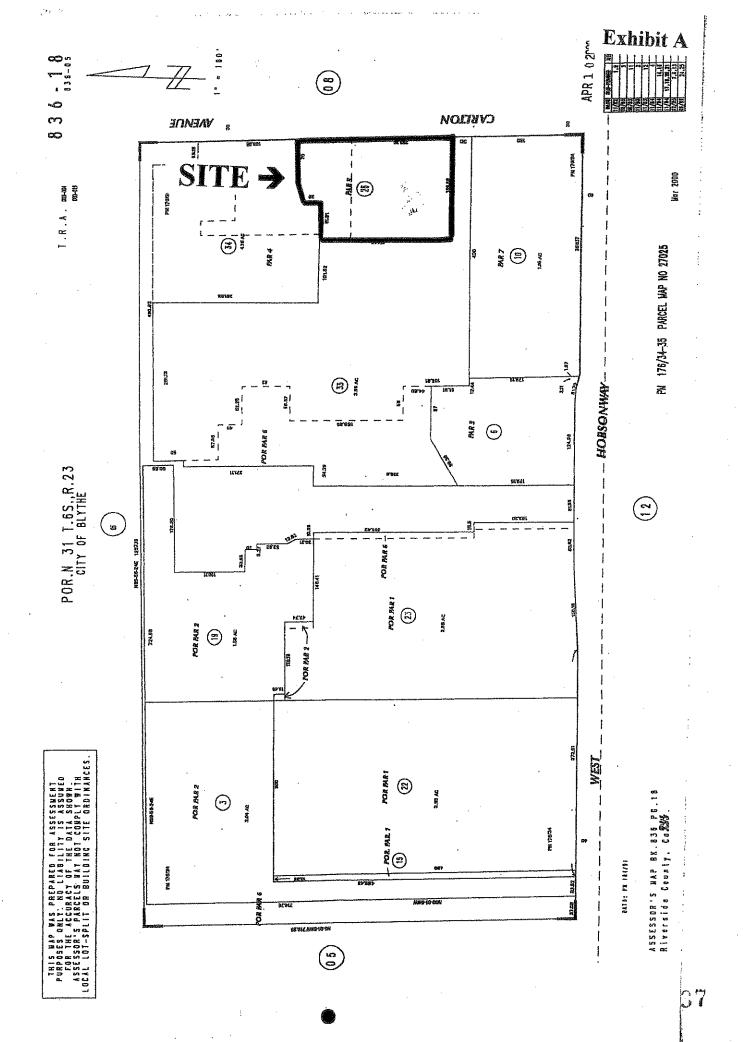
WHEREAS: The City Council considered the following findings in its review of the environmental circumstance for this project:

- 1. That the project is exempt under State CEQA Guideline Section 15301 Existing Facility
- 2. That a Notice of Exemption, in accordance with the California Environmental Quality Act, was prepared for the project.
- 3. That review of the environmental circumstances regarding this project indicates that no adverse impacts would accrue to wild life resources from implementation of the project.
- 4. That the project may proceed subsequent to approval and/or conditional approval of the State Department's consideration of a "de minimus impact" pursuant to Section 711.2 et seq. of the Fish and Game Code.
- 5. That the environmental assessment and analysis prepared for this project reflect the independent judgment of the City of Blythe.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Blythe does hereby approve the Notice of Exemption prepared for Conditional Use Permit 2006-08 for the .92± acre site shown on Exhibit "A" attached hereto and incorporated herein by this reference.

wit:	PASSED, APPROVED, and ADOPTEI	this 26 th day of June, 2007, by the following	ng called vote, to	
	AYES: NOES: ABSENT:			
		Robert A. Crain, Mayor		
ATTE	ST:	1000n 11. Orani, mayor		

Virginia Rivera, City Clerk (S E A L)



NOTICE OF DETERMINATION WITH DEMINIMIS IMPACT

то:	Office of Planning and I 1400 Tenth Street, Roor Sacramento, CA 95814		PO Box 751		
	City of Blythe 235 North Broadway Blythe CA 92225 (760) 922-6130	PROJECT APPLICAT	T: Romeo & 326 North Blythe CA (760) 921	Acacia A 92226	
SUBJEC'	T: Notice of Determination in	n compliance with Section	21108 or 21152	2 of the Public Resource	es Code.
PROJEC	T TITLE: Conditional Use	Permit 2006-08			
STATE C	CLEARINGHOUSE NUMB	ER: N/A			
CONTAC	CT PERSON/PHONE: Jenr	nifer Wellman, AICP - (76) 922-6130 ext	246	
PROJEC	T LOCATION: 1205 West	Hobsonway (Assessor's Pa	rcel Number 83	36-180-026)	. 44
drive-thru Designation zone. The	T DESCRIPTION: Converse market and adult day care center of General Commercial. To adult day care center requires advise the City of Blythe (Lea	ter. The site is zoned CG (The drive-thru market is an as issuance of a Conditional	General Comme allowed use in Use Permit by	ercial) with a General Pl the General Commerc the Blythe City Counci	lan vial il.
project and	l has made the following dete	rmination regarding the ab	ove-described p	roject:	
2. X 3. Mi 4. A 1 5. A 2	ne project will, _X_ will An Environmental Impact K_ A Notice of Exemption waitigation measures were mitigation reporting or monite statement of Overriding Consideration of Market Were, were	Report was prepared for the sprepared for this project extra were not, made a cooring plan was, _X iderations was, _X	is project pursu pursuant to the adition of the a was not, adopt vas not, adopte	provisions of C.E.Q.A proval of the project. ed for this project. d for this project.	fC.E.Q.A.
This is to o	certify that the Notice of Exervelopment Services Department	mption and record of proje nt, 235 North Broadway, E	ct approval is a lythe, Californi	available to the general a	public at:
Jennifer W Planning D	ellman, AICP birector	_ I	ate Received for	or filing at OPR: N/A	
Date					

NOTICE OF EXEMPTION With

De Minimis Impact Finding

TO: Office of Planning and Research

PO Box 3044, Room 222 Sacramento, CA 95812-3044 FROM: City of Blythe

235 North Broadway Blythe CA 92225

County Clerk
County of Riverside
PO Box 751
Riverside CA 92502-0751

Project Title:

Conditional Use Permit 2006-08

Project Location:

1205 West Hobsonway (Assessor's Parcel Number 836-180-026)

Project City:

City of Blythe

Project County:

County of Riverside

Project Description: Conversion of an existing building located at 1205 West Hobsonway into a drive-thru market and adult day care center. The site is zoned CG (General Commercial) with a General Plan Designation of General Commercial. The drive-thru market is an allowed use in the General Commercial zone. The adult day care center requires issuance of a Conditional Use Permit by the Blythe City Council.

Name of Public Agency Approving Project:

City of Blythe

Name of Person/Agency Carrying Out project:

Romeo and Maria Ang 326 North Acacia Blythe CA 92226 (760) 921-6457

Exempt Status: (check one)

Ministerial (Sec. 21080(b)(1): 15268

Declared Emergency (Sec. 21080(b)(3): 15269(a)):

Emergency Project (Sec. 21080(b)(4); 15269(b)(c)):

Ct + t = F

X

Section 15301 Existing Facilities

_ Statutory Exemption:

Categorical Exemption:

Reason(s) why project is exempt: The project consists of the rehabilitation and subsequent us of an existing commercial structure in an existing commercial retail center.

Lead Agency Contact Person:

Jennifer Wellman, AICP, Planning Director

Telephone Agency Telephone No.:

(760) 922-6130 ext. 246

RESOLUTION NO. 07-722

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS IN SUPPORT OF APPROVING CONDITIONAL USE PERMIT 2006-08

WHEREAS: The City Council of the City of Blythe at its regularly scheduled meeting of June 26, 2007, conducted a public hearing to consider Conditional Use Permit 2006-08, being a request by Maria and Romeo Ang to allow the conversion of an existing building located at 1205 West Hobsonway into a drive-thru market and adult day care center. The General Plan Land Use and Zoning designation of the site is CG (General Commercial). The drive-thru market being an allowed use in the General Commercial zone. The adult day care center requiring issuance of a Conditional Use Permit by the Blythe City Council. The project site is legally described as Assessor's Parcel Number 836-180-026; and

WHEREAS: The City Council after hearing and considering all written and oral testimony and arguments, if any, of all interested persons desiring to be heard, did arrive at the following findings to justify approval of Conditional Use Permit 2006-08:

- 1. The proposed use is one conditionally permitted within the subject zone and complies with all of the applicable provisions of the Zoning Ordinance.
- 2. The proposed use would not impair the integrity and character of the district in which it is to be located.
- 3. The subject parcel is physically suitable for the type of land use being proposed.
- 4. The proposed location of the conditional use and the conditions under which it will be operated and maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- 5. The proposed use is compatible with the existing uses on the project site and uses within the project vicinity.
- 6. There are adequate provisions for water, sanitation and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.
- 7. The proposed project is exempt from the provisions of CEQA pursuant to Section 15301 Existing Facility of the CEQA Guidelines.
- 8. The environmental analysis of the project reflects the independent judgment of the City of Blythe.

NOW, THEREFORE, BE IT RESOLVED: That the Blythe City Council does hereby approve Conditional Use Permit 2006-08 subject to conditions as attached.

,	and the control of the conditions as attached	uncq.
wit:	PASSED, APPROVED, and ADOPTED this 26th de	ay of June, 2007, by the following called vote, to
	AYES: NOES: ABSENT:	
ATTE		Lobert A. Crain, Mayor
ATTE	EST:	· •

CITY OF BLYTHE CONDITIONS OF APPROVAL

Conditional Use Permit 2006-08

Project Applicant: Romeo & Maria Ang

- 1. The permittee shall defend, indemnify, and hold harmless the City of Blythe, its' agents, officers and employees from any and all claim(s), cost(s) or expenses(s), including legal fees and costs, action(s) or proceeding(s) against the City of Blythe or its agents, officers or employees to attach, set aside, void or annul an approval of the City of Blythe concerning the proposed Conditional Use Permit and the associated environmental document(s) regardless of whether or not litigation is commenced or arbitration requested.
- 2. Development of the site shall comply with the mandatory requirements of all City of Blythe Ordinances and Resolutions, all applicable State and Federal Codes and Laws and shall substantially comply with the conditionally approved Site Plan.
- 3. The Conditional Use Permit (CUP) shall lapse if no improvements have been made to the site or if the permittee does not utilize the permit within one (1) year from the date upon which the permit is granted.
- 4. For all private improvements, a completed building permit application (with valuation of work) and three (3) complete sets of construction/installations plans, including Title 24 Documents, shall be submitted to the City Building Department. Please allow 15 working days for processing of application and plans.
- 5. For all public improvements, a completed building permit application (with valuation of work) and four (4) complete sets of construction/installations plans shall be submitted to the City Building Department. Please allow 30 working days for processing of application and plans.
- 6. All contractors and/or sub-contractors for the project must obtain a City Business License before commencing work within the City limits.
- 7. All contractors and/or sub-contractors for the project must hold a current and active California State Contractors License and provide verification of workers compensation insurance. Said information shall be provided to the City Building Department prior to start of trade.

Existing landscape areas shall be rehabilitated pursuant to the following:

- a. Landscaping shall be installed per BMC Section 17.22. Said landscaping shall be installed prior to final inspection. A detailed landscape plan shall be submitted with building permit application(s). The landscape plan shall include a list of all proposed plants (common and botanical names), the quantity and size of each type of plant and a schematic of the full coverage irrigation system.
- b. Plants should be drought tolerant and low maintenance and shall consist of an effective combination of trees, lawn and/or ground cover, shrubs and desert vegetation as approved by the Planning Director.

- c. In order to promote water conservation, weed and dust control, all unplanted landscape areas shall be mulched with a minimum of two inches of ¾" crushed rock. A sample of the proposed material shall be submitted with the landscape plan for review and approval.
- d. For every two hundred square feet of landscaping, a minimum of one deciduous or evergreen tree conforming to the measurements specified below shall be planted in a tree well sized to properly accommodate the intended tree. Suitable protection shall be provided to trees and public works from traffic.
 - i. Minimum branching height for all shade trees shall be six feet.
 - ii. Minimum size for shade trees shall be 3.5 to four inches in diameter measured six inches above grade; and, 12 to 14 feet in height.
- e. All landscaped areas must be equipped with a properly maintained, permanent, automated, underground, full-coverage irrigation system meeting the approval of the Planning Director and protected from vehicular traffic by a [minimum] six inch high curb.
- f. Because landscape water meters do not incur waste water fees, it is recommended that a landscape water meter be installed.
- 8. In addition to any landscaping maintenance, weed and graffiti abatement shall be the responsibility of the applicant/developer. The applicant, permittee, assignee or any successor-in-interest shall maintain the property and landscape area in a clean, neat, and healthful condition.
- 9. The street address must be posted in the upper right corner of the building, clearly visible from Hobsonway. The numbers must be a minimum of 12" high and in contrasting color to the background.
- 10. Adequate/suitable containers for the storage & disposal of trash must be installed to City of Blythe Standards. The location of the trash enclosure shall be maintained in a clean and healthful condition at all times and shall not become subject to loose debris in the area. The trash containers shall be equipped with Palo Verde Valley Disposal locks to prevent unwanted/unnecessary access into the containers.
- 11. All exterior mechanical equipment must be screened from view. Screening of mechanical equipment should be integrated as part of the site and building design. Plain boxes and/or lattice screening is not acceptable. Screening details should incorporate "capping" elements and the same exterior trim details and materials found elsewhere on the site.
- 12. The applicant shall install on-site security lighting. Security lighting shall comply with City of Blythe Municipal Code Section 17.28.030 as it pertains to off-site lighting and glare. The placement, size and type of lighting shall be shown on improvement plans and shall be approved by the Development Services Department. Lighting alternatives and design must cause the least disturbance to the surrounding views.
- 13. Parking: All parking areas, including those for outdoor automotive display, sales and storage, shall be surfaced or paved with asphalt concrete of at least two and one-half inches thickness over a suitable base materials, and shall thereafter be maintained in good condition. However, should use or soil conditions necessitate, the Planning Director may require additional paving or lot improvements (Reference BMC Section 17.60.050 Design of outside storage and

Section 17.16.120. G Design-Nonresidential). A parking lot stripping plan shall be submitted to the Building Department for approval.

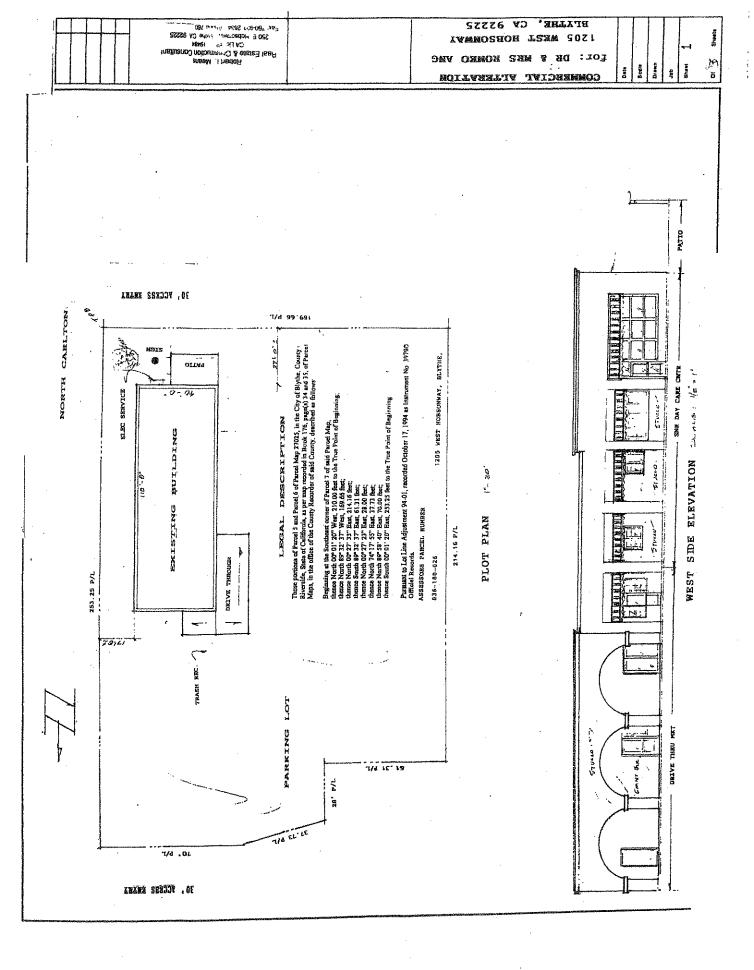
Handicapped Requirements - Two percent of total required spaces shall be handicapped. The handicapped parking stall ramp slope shall not be more than ¼" per foot and must be as close as possible to the primary entrance of the building (BMC 17.16.120D).

- 14. Verification of all appropriate State and County agency licensing and approvals shall be provided to the City of Blythe Development Services Department prior to issuance of a Certificate of Occupancy.
- 15. All plans and specifications shall comply with the most recent addition of the California Building, Plumbing, Electrical, Mechanical, Energy and all other applicable Codes in effect at the time of permit application.
- 16. Plans shall be submitted for any alterations/additions to the building's structural components, electrical system, plumbing system or mechanical equipment. A T-24 Energy Compliance document shall be incorporated into the submittals with mandatory compliance items shown on the plans.
- 17. Permits may be issued "owner-builder" with the exception that the electrical and plumbing permits shall be issued to properly licensed California Contractors only. The T-24 document will address the HVAC requirements and a licensed contractor may be required (Note that the 2005 CA Energy Code also addresses exterior lighting and signage).
- Parking, entrance components, and in-store path of travel shall comply with Chapter 11B of the 2001 California Building Code for accessibility in commercial buildings. Means of egress shall be provided as specified in Chapter 10 of the 2001 California Building Code. The potential occupant load of the store will require a second exit meeting the requirements of emergency egress.
- 19. The 2,800 square foot convenience store will be classified as a "M" occupancy. Lighting, ventilation and sanitation shall be as specified in Chapters 12 and 29 of the 2001 California Building Code.
- 20. The 3,360 square foot day care center will be classified as an "E-3" occupancy. A one (1) hour fire wall assembly will be required between the two occupancies. Storage and use of flammable and combustible liquids shall be in accordance with the 2001 California Fire Code.
- 21. All work performed in the public right-of-way (ROW) shall conform to the City of Blythe Standard Drawing and Specifications and shall meet all current ADA requirement (e.g. sidewalk and driveway aprons). Copies are available at the Department of Public Works for \$30.00 per copy. It is recommended that prior to the start of design drawings a copy should be obtained.
- 22. If construction work in the ROW exceeds \$3,500 in valuation the contractor for the developer shall post a performance bond equal to the cost of the work prior to issuance of an encroachment permit to work in the ROW.
- All plans and specifications for work in the right-of-way shall be prepared by an engineer or architect licensed in the State of California to perform such work.

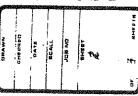
- 24. Before commencing work in the right-of-way, a representative of the applicant shall attend a preconstruction meeting with the Department of Public Works to discuss issues pertaining to traffic control and public safety.
- 25. All plans prepared by for submission to Public Works shall be done on 24-inch by 36-inch sheets, as per the Standard Specifications.
- 26. The applicant/owner shall remove existing accessibility ramps on North Carlton (immediately north and south of the property) and construct two new accessibility ramps per City Standard Drawing S-210, matching existing sidewalk grade, such that a smooth transition is made from existing sidewalk and new ramp, and existing flow line grade, such that flow is facilitated to the existing storm drain inlets. Armor-Tile truncated dome detectable surface, or approved equal, shall be incorporated into the accessibility ramps, per manufacturer's specifications and meeting all current ADA requirements.
- 27. The applicant/owner shall install 2 new stop signs at both egresses north and south of the property per City Standard Drawings S-227 (modified with a 2 ½" Diameter Galvanized Steel Pole with a hot dipped Galvanized Steel 2"x2" perforated square post with break-a-way sleeve).
- 28. The applicant/owner shall have a Reduced Pressure (RP) backflow device installed on the existing building, if not already having one. Contact the Public Works Department (760) 922-6611 for a list of approved RP devices.
- 29. The applicant/owner shall remove the existing water meter and replace with a Sensus SR-II touch read, or approved equal, as well as a touch read meter box lid per City Standard Drawing W-300.
- 30. The Department of Environmental Health Services (EHS) requests that plans be submitted for review and approval prior to building permit issuance.
- The Blythe Police Department submitted the following comment during Project Review Committee. There is a concern that the drive-thru located at the front of the market business will be unsafe for pedestrian traffic when crossing said drive-thru to enter/exit the business.
- 32. The Palo Verde Transit Agency submitted the following comment(s) during Project Review Committee. Site plan should include proper accommodation of an ADA accessible loading area for pick up and drop off of clients utilizing the adult day care. Typically adult day care centers use public and private buses or vans to transport their client to and from their programs. Most clients have limited mobility or cognitive impairments. It is necessary to have a controlled loading and unloading area that provides room to load a person using a wheelchair on to a bus. This area should be free from obstructions but must have distinct boundaries to prevent clients from wandering from the loading area.
- 33. A window or closed circuit monitoring device should be installed at the loading area so day care staff can monitor arrivals and departures of their clients. The two areas that appear ideal for a joining pick up and drop off would be on either side of the patio area but with consideration to a travel path of a 25-foot bus approaching, loading and leaving the site.
- 34. The applicant shall construct a 42" high decorative slump block wall along the [south] drive thru lane to prevent 1) pedestrian crossing outside of the designated "cross-walk" and 2) to prevent vehicles from passing through the loading/unloading and parking area where pedestrians may be present while accessing their vehicles or moving toward the parking area to the west.

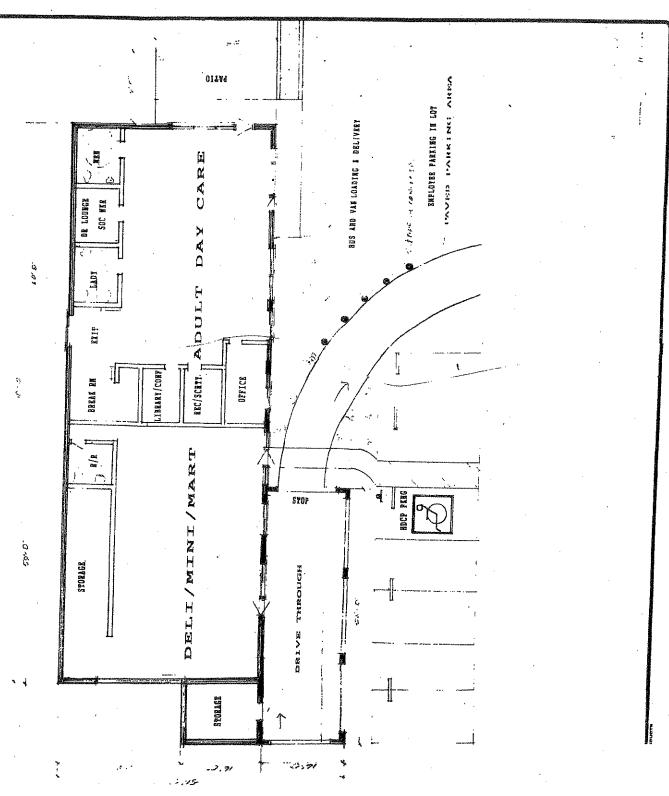
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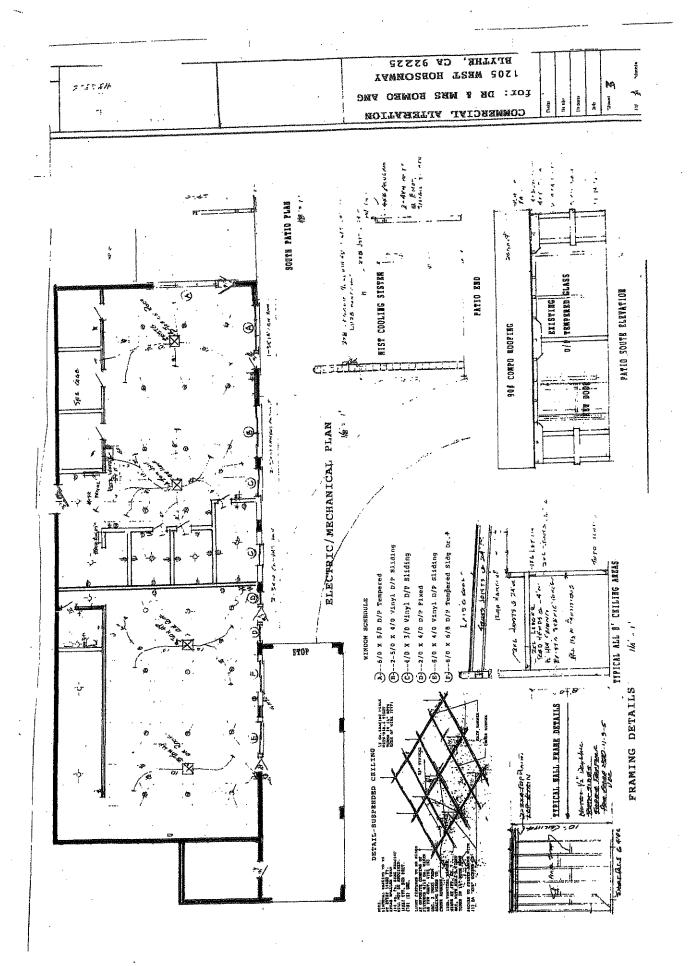
- 35. The applicant shall construct a 42" high decorative slump block wall with wrought iron fencing (to a maximum of 6') around the perimeter of the patio. A security gate will be installed that will allow emergency egress from the patio, but will prevent entrance into the patio area by the general public. An alarm may be installed on the gate to notify center staff when the gate has been opened.
- 36. A receptionist shall be present at the reception desk which shall be located at or near the primary entrance to the center. Each resident will be required to sign-in upon arrival and sign-out upon departure. The manned reception desk is also intended to prevent unauthorized access to the center and/or the patrons of the center.
- Two of the parking spaces shown on the original site plan shall be designated as loading / unloading spaces. Appropriate signage will be installed.
- 38. The balance of the parking spaces provided near the Adult Day Care Center shall be designated for patron parking, with a minimum of one ADA accessible space appropriately designated, signed and striped.
- 39. Staff parking shall be accommodated to the west of the building, in the existing, shared parking area that serves the balance of the shopping/professional center.



COMMERCIAL RE-HAB FOR DR & MRS ROMEO ANG







SUBJECT:

Tentative Parcel Map 35616

LOCATION:

9274 & 9266 East Hobsonway - Assessor's Parcel Number: 851-110-052

APPLICANT/

OWNER:

Nirmal Patel

1038 S. Sunstream Lane Anaheim CA 92808

AGENT:

The Holt Group 201 East Hobsonway Blythe CA 92225

PROJECT DESCRIPTION/DETAILS: The applicant is requesting approval to allow the division of one (1) 1.76± acre parcel into two (2) individual parcels. Proposed Parcel No. 1 is 1.46± acres in size with Proposed Parcel No. 2 being 0.30±. The parcels are both accessed via East Hobsonway. Proposed Parcel No. 1 is occupied by the Days Inn Motel and Proposed Parcel No. 2 is occupied by Sunset Grill. Both businesses will continue operation(s) subsequent to division of the property. As provided for in Condition of Approval No. 3, an irrevocable joint use parking agreement [between Proposed Parcels No. 1 and 2] will be recorded on the cover sheet of the Final Map.

<u>LAND USE AND ZONING DESIGNATION</u>: The General Plan Land Use and Zoning Designation of the site is General Commercial CG).

SURROUNDING ZONING AND LAND USE:

NORTH: RML (Medium/Low Density Residential), RL2 (Low Density Residential) - occupied and

vacant residential properties, East Barnard Street;

SOUTH: CG (General Commercial), RML (Medium/Low Density Residential), R/MH

(Residential/Mobile Home) - vacant and occupied commercial properties, Burtons Mobile

Home Park, Interstate Highway 10:

EAST: CG (General Commercial), RH (High Density Residential), RM (Medium Density

Residential), CG (General Commercial) - occupied and vacant commercial and residential

properties, Highway 95; and,

WEST: CG (General Commercial), RML (Medium/Low Density Residential) - RL2 (Low Density

Residential) - occupied and vacant commercial and residential properties, Date Road.

STAFF ANALYSIS: The project represents a viable effort on the part of the owner to increase the development potential of the property. The proposal for subdivision of the property makes sense in that it will allow the applicant to develop or convey each of the (subsequent) parcels as autonomous units.

ENVIRONMENTAL REVIEW: The project is exempt under State CEQA Guideline Section 15315 - Minor Land Divisions.

FINDINGS:

- 1. That the proposed Tentative Parcel Map is consistent with the City of Blythe General Plan.
- 2. That the proposed Tentative Parcel Map is consistent with the requirements of the Zoning Ordinance.
- 3. That the site is physically suitable for the land division as proposed.
- 4. That the designs of the project or the subsequent improvements are not likely to cause substantial environmental damage.
- 5. That the project is exempt under State CEQA Guideline Section 15315 Minor Land Division.

<u>PLANNING COMMISSION ACTION</u>: Subsequent to staff's report and a minor amount of discussion with the applicant and the applicant's representative, Commissioner Bolliger entered a motion to recommend to City Council approval of the Notice of Exemption prepared for Parcel Map 35616. Vice Chairman Maley seconded the motion. 4-0 Aye vote. Commissioner Bolliger then entered a motion to recommend to the City Council approval of Tentative Parcel Map 35616, with Conditions as amended. Vice Chairman Maley seconded the motion. 4-0 Aye vote. Commissioner Copple was absent.

STAFF RECOMMENDATION: It is recommended that the City Council, subsequent to the Public Hearing thereon:

- 1. Adopt Resolution No. 07-734 approving the Notice of Exemption for Parcel Map 35616; and,
- 2. Adopt Resolution No. 07-735 approving of Tentative Parcel Map 35616, with conditions.

ATTACHMENTS:

- 1. Resolution No. 07-734 w/ Exhibit "A"
- 2. Notice of Determination
- 3. Notice of Exemption
- 4. Resolution No. 07-735 w/ Exhibit "A"
- 5. Conditions of Approval

Respectfully Submitted:

Jennifer L. Wellman, AICP

Planning Director

Concurrence:

Charles Hull
Assistant City Manager

RESOLUTION NO. 07-734

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF A NOTICE OF EXEMPTION FOR TENTATIVE PARCEL MAP 35616

WHEREAS: The City Council of the City of Blythe at its regularly scheduled meeting of August 28, 2007, conducted a public hearing to consider approval of Tentative Parcel Map 35616, a request to allow the division of one (1) 1.76± acre parcel into two (2) individual parcels. Proposed Parcel No. 1 is 1.46± acres in size with Proposed Parcel No. 2 being 0.30±. The parcels are both accessed via East Hobsonway. Proposed Parcel No. 1 is occupied by the Days Inn Motel and Proposed Parcel No. 2 is occupied by Sunset Grill. Both businesses will continue operation(s) subsequent to division of the property. The Zoning and General Plan designation of the site is CG (General Commercial) and the property is legally described as Assessor's Parcel Number 851-110-052; and

WHEREAS: The City Council considered the following findings in its review of the environmental circumstance for this project:

- 1. That the project is exempt under State CEQA Guideline Section 15313 Minor Land Divisions.
- 2. That a Notice of Exemption, in accordance with the California Environmental Quality Act, was prepared for the project.
- 3. That review of the environmental circumstances regarding this project indicates that no adverse impacts would accrue to wild life resources from implementation of the project.
- 4. That the project may proceed subsequent to approval and/or conditional approval of the State Department's consideration of a "de minimis impact" pursuant to Section 711.2 et seq. of the Fish and Game Code.
- 5. That the environmental assessment and analysis prepared for this project reflect the independent judgment of the City of Blythe.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Blythe does hereby approve the Notice of Exemption prepared for Tentative Parcel Map 35616 for the 1.76± (gross) acre site shown on Exhibit "A" attached hereto and incorporated herein by this reference.

PASSED, APPROVED, and ADOPTED this 28th day of August, 2007, by the following called vote, to wit:

AYES: NOES: ABSENT:		
ATTEST:	Robert A. Crain, Mayor	
Virginia Rivera, City Clerk (S E A L)		

NOTICE OF DETERMINATION

то:	Office of Planning and Research 1400 Tenth Street, Room 121 Sacramento, CA 95814	Riverside County Clerk PO Box 751 Riverside CA 92502-0751
Bl	ty of Blythe PROJECT APPLICAN' 5 North Broadway ythe CA 92225 60) 922-6130	F: Nirmal Patel 1038 S. Sunstream Lane Anaheim CA 92808 (714) 394-4112
SUBJECT:	Notice of Determination in compliance with Section 2	21108 or 21152 of the Public Resources Code
PROJECT '	FITLE: Tentative Parcel Map 35616	
STATE CL	EARINGHOUSE NUMBER: N/A	
CONTACT	PERSON/PHONE: Jennifer Wellman (760) 922-61	30 ext. 246
PROJECT	LOCATION: 9274 & 9266 East Hobsonway - Assess	or's Parcel Number 851-110-052
parcel into tw being 0.30±. Inn Motel an	DESCRIPTION: The applicant is requesting approvation (2) individual parcels. Proposed Parcel No. 1 is 1.4. The parcels are both accessed via East Hobsonway. If d Proposed Parcel No. 2 is occupied by Sunset Grill. It division of the property.	6± acres in size with Proposed Parcel No. 2 Proposed Parcel No. 1 is occupied by the Days
This is to adv	vise the <u>City of Blythe</u> (Lead Agency/Responsible Age the following determination regarding the above-desc	ncy) has approved the above described projectribed project:
1. The	project will, X will not, have a significant effe	ect on the environment.
2. <u>C.E.</u>	An Environmental Impact Report was prepared for th Q.A.	is project pursuant to the provisions of
X	A Notice of Exemption was prepared for this project	oursuant to the provisions of C.E.Q.A.
3. Mitig	gation measures X were, were not, made a condi	tion of the approval of the project.
4. A sta	atement of Overriding Considerations was, _X	was not, adopted for this project.
	tify that the Notice of Exemption and record of project opment Services Department, 235 North Broadway, B	
Jennifer Well Planning Dire	man, AICP	vived for Filing <u>N/A</u>

NOTICE OF EXEMPTION With De Minimis Impact Finding

TO: Office of Planning and Research

1400 Tenth Street, Room 121

Sacramento, CA 95814

FROM:

City of Blythe

235 North Broadway Blythe, CA 92225

County Clerk
County of Riverside

P.O. Box 751

Riverside, CA 95812-0751

Project Title:

Tentative Parcel Map 35616

Project Location:

9274 & 9266 East Hobsonway - Assessor's Parcel Number 851-110-052

Project City:

City of Blythe

Project County:

County of Riverside

Project Description:

The applicant is requesting approval to allow the division of one (1) 1.76± acre parcel into two (2) individual parcels. Proposed Parcel No. 1 is 1.46± acres in size with Proposed Parcel No. 2 being 0.30±. The parcels are both accessed via East Hobsonway. Proposed Parcel No. 1 is occupied by the Days Inn Motel and Proposed Parcel No. 2 is occupied by Sunset Grill. Both businesses will continue operation(s) subsequent to

division of the property.

Name of Public Agency Approving Project:

City of Blythe

Name of Person/Agency Carrying Out Project:

Nirmal Patel

1038 S. Sunstream Lane Anaheim CA 92808

Exempt Status: (check one)

Ministerial (Sec. 21080(b)(1): 15268

Declared Emergency (Sec. 21080(b)(3): 15269(a)) Emergency Project (Sec. 21080(b)(4): 15269(b)(c))

X Categorical Exemption: Class 15 – Section 15315

Statutory Exemption:

Reason(s) why project is exempt: The project consists of the subdivision of one commercially zoned parcel into two individual parcels. The project is consistent with the General Plan and zoning designations of the site as well as urbanized land uses in the area. Each parcel has access from a dedicated and improved right-of-way, all public utilities are in place (i.e.: water, sewer) and no variances or exceptions are required. The project satisfies all requirements as outlined in Section 15315 of the Guidelines.

Lead Agency Contact Person:

Jennifer Wellman, AICP, Planning Director

Telephone Agency Telephone No.:

(760) 922-6130 ext. 246

RESOLUTION NO. 07-735

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS AND CONDITIONS IN SUPPORT OF APPROVING TENTATIVE PARCEL MAP 35616 TO ALLOW THE DIVISION OF ONE (1) 1.76± (GROSS) ACRE PARCEL INTO TWO (2) SEPARATE PARCELS ON PROPERTY LOCATED AT 9274 AND 9266 EAST HOBONWAY

WHEREAS: The City Council of the City of Blythe at its regularly scheduled meeting of August 28, 2007, conducted a public hearing to consider approval of Tentative Parcel Map 35616, being a request to allow the division of one (1) 1.76± acre parcel into two (2) individual parcels. Proposed Parcel No. 1 is 1.46± acres in size with Proposed Parcel No. 2 being 0.30±. The parcels are both accessed via East Hobsonway. Proposed Parcel No. 1 is occupied by the Days Inn Motel and Proposed Parcel No. 2 is occupied by Sunset Grill. Both businesses will continue operation(s) subsequent to division of the property. The Zoning and General Plan designation of the site is CG (General Commercial) and the property is legally described as Assessor's Parcel Number 851-110-052; and

WHEREAS: The City Council received testimony from all interested parties relative to said Tentative Parcel Map; and

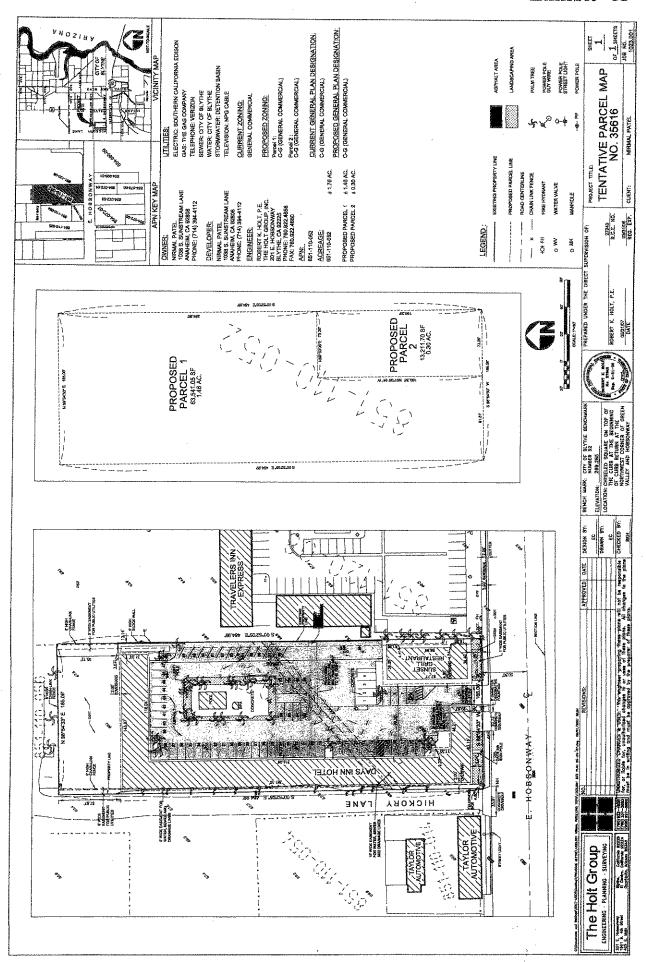
WHEREAS: The City Council made the following findings relative to this project:

- 1. That the proposed Tentative Parcel Map is consistent with the City of Blythe General Plan.
- 2. That the proposed Tentative Parcel Map is consistent with the requirements of the Zoning Ordinance.
- 3. That the site is physically suitable for the land division as proposed.
- 4. That the designs of the project or the subsequent improvements are not likely to cause substantial environmental damage.
- 5. That the project is exempt under State CEQA Guideline Section 15315 Minor Land Division.

NOW, THEREFORE, BE IT RESOLVED: That the Blythe City Council does hereby approve Tentative Parcel Map 35616 shown on Exhibit "A" attached hereto and incorporated herein by this reference, subject to conditions as attached.

PASSED, APPROVED, and ADOPTED this 28th day of August, 2007, by the following called vote, to wit:

AYES: NOES: ABSENT:		
ATTEST:	Robert A. Crain, Mayor	
Virginia Rivera, City Clerk (S E A L)		

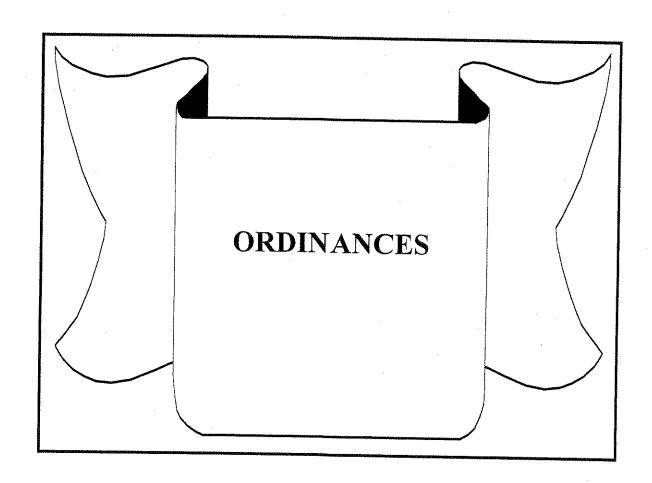


CITY OF BLYTHE CONDITIONS OF APPROVAL

Tentative Parcel Map 35616

Project Applicant: Nirmal Patel

- 1. The permittee shall defend, indemnify, and hold harmless the City of Blythe, its' agents, officers and employees from any and all claim(s), cost(s) or expenses(s), including legal fees and costs, action(s) or proceeding(s) against the City of Blythe or its agents, officers or employees to attach, set aside, void or annul an approval of the City of Blythe concerning [Tentative] Parcel Map 35616 and all associated entitlements, including but not limited to use permits and subdivision map and the/their associated environmental document/analysis regardless of whether or not litigation is commenced or arbitration requested.
- 2. Development and/or redevelopment of the site shall comply with the mandatory requirements of all City of Blythe Ordinances and Resolutions, all applicable State and Federal Codes and Laws [in place at such time as entitlements are granted and/or building permits are applied for] and shall substantially comply with the conditionally approved and Tentative Parcel Map. Development or redevelopment of either of the proposed parcels shall be subject to the standard City of Blythe review and approval process.
- 3. The applicant/owner shall provide and show on the Final Map cover sheet an irrevocable joint use parking agreement between Proposed Parcels No. 1 and 2.
- 4. The applicant/owner shall provide and show all existing and required rights-of-way and utility easements on the Parcel Map.
- 5. Within six (6) months of this approval, the applicant shall provide the City with tax clearance documentation from the Office of the Riverside County Tax Collector indicating that all due and payable and/or delinquent taxes or special assessments have been paid for the property being divided. If this condition is not adhered to within said six (6) month period, the City Council may hold a public hearing to consider revocation of the map.
- 6. The life of the (approved) Tentative Parcel Map shall be as set forth in Section 66452.6 of the Subdivision Map Act.
- 7. Property corners must be identified with approved markers within one (1) year of final map approval.
- 8. A Final Map shall be prepared according to all of the latest requirements of the Subdivision Map Act and City of Blythe Ordinances and standards. The map shall be prepared by a California Registered Land Surveyor or Civil Engineer licensed to practice prior to January 1, 1982. A \$400 Final Map filing fee shall be remitted to the Planning Department upon submittal of the Final Map for City Council approval in addition to a \$750 per sheet plan check fee. Fees in place at the time of map submittal shall apply.
- 9. The applicant/owner shall provide for review/approval and subsequent recordation a joint use agreement for use of the existing trash enclosure/facility which is located on Proposed Parcel No. 1.
- 10. Should ownership of Proposed Parcel No. 1 change [from the project applicant/owner], a trash enclosure shall be constructed to serve the restaurant and shall be wholly contained on Proposed Parcel No. 2.



TO: Mayor and City Council

FROM: City Manager

SUBJECT: Ordinance No. 823-07 Regulating Taxicab Services

DATE: August 28, 2007

BACKGROUND

At the City Council meeting of June 26, 2007, the Council was asked to license/permit a taxicab service in the City of Blythe. Per the Blythe Municipal Code, a Public Hearing was conducted and closed, and the matter continued to the Council meeting of July 10, 2007.

At the July 10th meeting, the City Council took several actions:

- 1.) Directed staff to update the City's Taxicab Ordinance.
- 2.) Authorized the Chief of Police to issue a 60 day Temporary Permit to the applicant to operate Taxicab Service, subject to specific conditions:
- 3.) Directed that applicable section's of the existing ordinance would effect basic regulation of the taxicab service during the 60 day temporary permit period.
- 4.) Directed that the applicant would operate under the rules and regulations (as applicable) of the existing 1948 ordinance for the first year if the revised ordinance was not in place at the end of the 60 day temporary permit period.

DISCUSSION

Attached herewith is Ordinance No. 823-07 articulating the updated rules and regulations governing taxicab service in the City of Blythe. The proposed Ordinance No. 823-07 includes the following considerations:

- 1.) Updated requirements on the driver's applicant permit.
- 2.) Updated causes for suspension of driver's permits.
- 3.) Updated insurance requirements
- 4.) Updated regulatory information on the meters, vehicle inspections and maintenance certifications.
- 5.) Inserted penalty language for unauthorized or unlicensed taxicab operator and/or driver.

RECOMMENDATION

It is recommended that the City Council hold the first reading on Ordinance No. 823-07 governing taxicab service in the City of Blythe, and that it be passed to a second reading for adoption.

Respectfully submitted,

Les Nelson City Manager

Attachment

ORDINANCE NO. 823-07

AN ORDINANCE OF THE CITY OF BLYTHE AMENDING CHAPTER 5.72 OF THE BLYTHE MUNICIPAL CODE

The City Council of the City of Blythe ordains as follows:

SECTION 1: Chapter 5.72 of the Blythe Municipal Code, which was enacted in 1948, and amended in 1957, 1978 and 1980, requires revision to provide a current framework within which to regulate taxicab business in the City of Blythe. Chapter 5.72 of the Blythe Municipal Code is amended to read as follows in Attachment "A"

SECTION 2: Savings Clause. Neither the adoption of this ordinance nor the repeal of any other ordinance of this City shall in any matter affect the prosecution for violations of the ordinances, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any license or penalty or the penal provisions application to any violation thereof. The provisions of the ordinance, insofar as they are substantially the same as ordinance provisions previously adopted by the city relating to the same subject matter, shall be construed as restatements and continuations, and not as new enactments.

SECTION 3: The City Clerk shall certify to the passage of this Ordinance and cause the same to be published and circulated in the City of Blythe. This Ordinance shall take effect and be in force 30 days after its final passage.

following called vote, to wit:	this	day of	2007, by the	
AYES: NOES: ABSENT:				
ATTEST:		Mayor Robert A. Crain		
Virginia Rivera, City Clerk				
(SEAL)				
APPROVED AS TO FORM:				
Scott Zundel City Attorney				

ATTACHMENT "A"

5.72.010 Definition.

"Taxicab" means every automobile or motor-propelled vehicle of the distinctive color of public appearance, such as is in common usage in this country for taxicabs, used for transportation of passengers for hire over the streets of the city, and not over a defined route, irrespective of whether the operations extend beyond the boundary lines of the city, at rates for distance traveled, or for waiting time, or for both, when such vehicle is routed under direction of such passengers or persons hiring the same; however, charter buses are not included within the definition of "taxicabs." (Ord. 505 § 1, 1978: Ord. 251 § 1, 1957: Ord. 175 § 1, 1948)

5.72.020 Permit--Required.

No person shall operate a taxicab within the city without first having obtained a written permit for the operation of such vehicle under and in accordance with the terms and conditions prescribed in this chapter. (Ord. 175 § 2(a), 1948)

5.72.030 Permit--Application.

Applicants for taxicab permits shall file with the City Council an application upon blanks provided by the city Police Department, containing such information as is required by the rules and regulations of the City Council pertaining to the operation of taxicabs. The application shall be accompanied by a fee as set by resolution of the city council for the first vehicle and a fee set by resolution of the city council for each additional vehicle covered by the license. (Ord. 571 § 2 (part), 1980; Ord. 467 § 1 (part), 1975; Ord. 175 § 2(b), 1948)

5.72.040 Driver's permit--Required.

No person shall operate any taxicab, as defined in Section 5.72.010, upon the streets of the city, and no person who owns or controls any such vehicle shall permit it to be so driven, and no such taxicab shall be so driven unless the driver of said taxicab has first obtained and has then in force a driver's permit issued under the provisions of this chapter. (Ord. 251 § 6 (part), 1957: Ord. 175 § 2(c) (part), 1948)

5.72.050 Driver's permit--Application.

- A. Any person may apply to the city for a permit to operate a taxicab by filing with the chief of police upon forms supplied by the city Police Department an application containing the following information:
- 1. Name, address, and other pertinent applicant information:
- 2. Convictions, if any, in the courts of any state of the United States or in any United States court;
- 3. The endorsement of the owner by whom he is to be employed as driver;
- 4. Number and expiration date of his/her valid Driver's License;
- 5. Such other information regarding the character and experience of the applicant as may be necessary or desirable to enable the chief of police to ascertain applicant's qualifications for a driver's permit.
- 6. Department of Justice and Federal Bureau of Investigations Livescan fingerprint check to be processed through the Blythe Police Department.
- B. Upon receipt of the application, the chief of police or his/her designee shall also

conduct an investigation of each applicant for a driver's permit. On the basis of this investigation and the results of the Department of Justice and Federal Bureau of Investigations background checks, he/she shall approve or reject the application. A permit may be denied for any of the following reasons:

- 1. Person under the age of twenty-one years;
- 2. Person has been convicted of a felony or of any offense involving moral turpitude;
- 3. Person has been convicted of driving a vehicle recklessly or while under the influence of intoxicating liquors within a period of three years prior to the date of the application;
- 4. Person has been convicted of driving a vehicle while under the influence of narcotics;
- 5. Person not possessing a valid driver's license;
- (Ord. 498, 1978; Ord. 251 § 6 (part), 1957; Ord. 175 § 2(c) (part), 1948)

5.72.060 Driver's permit--Filing with city clerk.

Each driver's permit granted by the city council must be filed with the city clerk or his/her designee, who shall collect the sum set by resolution of the city council. The clerk or his/her designee shall deliver to each permittee such evidence of the issuance of the driver's permit and of the identity of the holder thereof as the city council may prescribe. (Ord. 571 § 2 (part), 1980; Ord. 467 § 1 (part), 1975; Ord. 175 § 2(d), 1948)

5.72.070 Rules and regulations.

The city council shall have the authority to adopt such rules and regulations as may be necessary for the service and safety of the operation of taxicabs. Permits provided for in this chapter may be granted, denied, revoked, suspended or cancelled as to any person or applicant whenever, in the exercise of reasonable and sound discretion, the city council determines that the provisions of this chapter have or have not been complied with, or that the permittee or applicant is or is not a fit and proper person to be in charge of or operate a taxicab, as may be determined by the rules and regulations pertaining to the operation of and the extent, quality and character of the service of such vehicle. (Ord. 175 § 3(a), 1948)

5.72.080 Driver's permit--Revocation or suspension.

From the time of the revocation or during the suspension of any permit, no person whose permit is revoked or suspended shall drive, operate or be in charge of any taxicab, or permit any taxicab on which the license has been revoked or suspended to engage in the operation of such vehicle as a taxicab, or allow any such taxicab to stand while awaiting employment at a location designated in such revoked or suspended permit, or until the period of suspension has expired. (Ord. 175 § 3(b), 1948)

5.72.090 Issuance and suspension of permits.

The chief of police of the city may issue the permits required by this chapter at the direction of the city council, and he/she may suspend any of the permits mentioned in this chapter whenever the permittee has not complied with the provisions of this chapter or has been convicted of a felony, reckless driving, the use, sale, possession, or transportation of narcotics, or for assault or battery, or has charged rates other than those which the permittee has on file with the city council and as set forth in this chapter, or has violated any of the rules and regulations of the city council pertaining to the operation of and extent, quality and character of service of taxicabs. (Ord. 175 § 4(a), 1948)

5.72.100 Suspension of permit subject to council approval.

The action of the chief of police in suspending any of the permits provided for in this chapter shall be subject to the ratification and approval of the city council without further action at any of its meetings held subsequent to the action of the chief of police, but not later than thirty (30) days thereafter. (Ord. 175 § 4(b), 1948)

5.72.110 Term of permits.

All permits issued under the provisions of this chapter shall be for a period not to exceed one year, and all such permits shall expire upon such date as may be fixed by the city council. (Ord. 175 § 5, 1948)

5.72.120 Temporary permit.

Regardless of the provisions of Section 5.72.200, this section grants a further authority to the chief of police as follows: the chief of police has authority to issue a sixty-day temporary permit, revocable at any time by the chief of police, permitting a person to temporarily operate a taxicab within the city, pending a complete background investigation by said chief of police or his/her designee of any applicant driver of a taxicab. The chief of police shall have the right to revoke any such sixty-day temporary permit at any time by verbal or written notice to such applicant driver or to the registered owner of any such taxicab by any verbal or written notice to such registered owner. After the expiration of any sixty-day temporary permit, unless said person complies with Sections 5.72.130 through 5.72.150 and 5.72.180, said sixty-day temporary permit shall automatically expire and be of no further force and effect. The Chief of Police has authority to grant a sixty (60) day extension as necessary in extenuating circumstances. (Ord. 396 § 1, 1970: Ord. 175 § 19, 1948)

5.72.130 Permit--Public hearing.

No permit for the operation of any taxicab shall be granted until the city council, after a public hearing, conducted in accordance with the rules and regulations prescribed by the city council, determines that public convenience and necessity require the operation of such taxicab. The declaration of public convenience and necessity shall not be necessary for the granting of the same number of permits held by the applicant under the same name and color scheme on the date prescribed by the city council for the expiration of permits, and such permits shall be classed as renewals and shall be granted automatically on the filing of an application unless the applicant violates other provisions of this chapter. (Ord. 251 § 2 (part), 1957: Ord. 175 § 6 (part), 1948)

5.72.140 Permit--Granting.

If the city council finds that further taxicab service in the city is required by public convenience and necessity and that the applicant is fit, willing and able to perform such public transportation and to conform to the provisions of this chapter and the rules promulgated by the city council, the city shall issue a permit stating the name and address of the applicant, the number of vehicles authorized under said permit and the date of issuance; otherwise, the application shall be denied. (Ord. 251 § 2 (part), 1957: Ord. 175 § 6 (part), 1948)

5.72.150 Permit--Criteria for council decision.

In making the findings, the city council shall take into consideration the number of taxicabs already in operation, whether existing transportation is adequate to meet the public need, the probable effect of increased service on local traffic conditions, and the character, experience and responsibility of the applicant. (Ord. 251 § 2 (part), 1957: Ord. 175 § 6 (part), 1948)

5.72.160 Effect of permits.

Each permit issued under the provisions of this chapter shall entitle the owner thereof to obtain a business license to engage in the business described in such permit from the city finance department, upon the payment of the business license fee. The finance department clerk shall issue such license. (Ord. 175 § 9, 1948)

5.72.170 Taxi stands.

- A. Permits may be issued to owners of taxicabs allowing such vehicles while awaiting employment to stand at certain designated places upon the street.

 B. No such permit shall be granted except upon the application of the person desiring such stand, filed with the city council, stating the number of taxicabs for which the permit is sought, and the proposed location of such stand.
- C. The application must contain either the written consent of the occupant of the first floor of that portion of the building or property in front of which it is desired that such vehicle shall stand or, if such building is used for hotel purposes, the written consent of the person operating such hotel.
- D. If there is no building on the premises in front of which it is desired that such taxicab shall stand, or if there is a building and the first floor is unoccupied, then such permit may be granted on the written consent of the owner of such building or premises.
- E. Not more than three taxicabs shall be permitted to stand on any one side of a street within the limits of any one block.
- F. No permit shall be issued for any taxicab to be located within three hundred feet of another stand on the same side of the street.
- G. The city council may, after exercising reasonable discretion, grant renewals or extensions of permits for such stand.
- H. The fee payable to the city for each cab stand permit issued shall be as set by resolution of the city council, in addition to the further sum payable by each taxicab owner or operator for one taxicab and the sum for each additional taxicab.
- I. No owner or driver of any taxicab shall stand while awaiting employment at any place other than a stand designated by the city council and assigned to the owner of such vehicle.
- J. Stands may be occupied for a period of twenty-four hours a day except where standing, stopping and parking of vehicles is otherwise prohibited during any portion of twenty-four hours. (Ord. 571 § 2 (part), 1980; Ord. 467 § 1 (part), 1975; Ord. 175 § 10, 1948)

5.72.180 Insurance requirements.

No permit shall be issued or continued in operation unless there is in full force and effect a liability insurance policy issued by an insurance company authorized to do business in the state, deposited with the city clerk, and providing for each taxicab vehicle authorized under this chapter, a minimum of two hundred fifty thousand dollars (\$250,000.00) for bodily injury to any one person, five hundred thousand

dollars (\$500,000.00) for bodily injury to more than one person, and one hundred thousand dollars (\$100,000.00) property damage resulting from any one accident, or a combined single limit of five hundred thousand dollars (\$500,000.00). Said insurance shall inure to the benefit of any person who shall be injured or who shall sustain damage to property proximately caused by the negligence of a holder of a permit under this chapter, his servants or agents. (Ord. 635 § 1, 1987; Ord. 251 § 2 (part), 1957; Ord. 175 § 6 (part), 1948)

5.72.190 Transferability.

No permit issued under this chapter may be sold, assigned, mortgaged, transferred, or interest therein diminished without the written consent of the city council being first had and obtained. (Ord. 251 § 3, 1957; Ord. 175 § 14, 1948)

5.72.200 Exceptions.

Any motor-propelled vehicles may transport a passenger or passengers from a point outside to a destination within the city or may proceed through the city while en route to a destination outside the city without the issuance of a permit under this chapter, and such operations shall not of themselves constitute engaging in the operation of a taxicab within the city. (Ord. 251 § 5, 1957; Ord. 175 § 16, 1948)

5.72.210 Operation restrictions.

Taxicabs for which permits have been issued shall be operated by the owner thereof or by an employee of the owner. No owner or driver of any such taxicab shall enter into any contract, agreement or understanding between themselves by the terms of which such driver pays to, or for the account of, such owner, a fixed or determinable sum for the use of such taxicab. (Ord. 175 § 7, 1948)

5.72.220 Issuance restrictions.

A. No taxicab permit shall be issued to any person until a standard, distinctive and uniform color scheme has been adopted by the applicant and approved by the city council, which designates by color the owner of said taxicab.

B. No permit shall be issued to any person whose color scheme, name, monogram or insignia is in conflict with or imitates any color scheme, monogram, name or insignia used by another concern in such manner as to be misleading or tend to deceive or mislead the public. (Ord. 175 §§ 7 (part), 8, 1948)

5.72.230 Display of certain information required.

Every taxicab shall display in the rear of the driver's seat and in the passenger's compartment, in full view of the passengers, a card not less than two inches by four inches nor more than two and one-half inches by five inches, which has printed thereon the owner's name under which he operates and the business address and telephone number of such owner together with the rates to be charged for such vehicle. (Ord. 175 § 11 (part), 1948)

5.72.240 Markings.

Every taxicab shall have painted upon the door of said cab the name under which the owner operates, together with the telephone number and the cab number. The number of the cab and the telephone number shall be painted upon the rear of said vehicle. All of the lettering mentioned in this section shall be not less than two and one-half inches in height and not less than five sixteenths inch stroke. (Ord. 175 § 11 (part), 1948)

5.72.250 Vacant signs.

Every taxicab may display an electrically lighted vacant sign attached to the top of such cab. Every such sign shall be not more than two and one-half inches by nine inches in length. (Ord. 175 § 11 (part), 1948)

5.72.260 Sign restriction.

No person shall display any sign other than those mentioned in Sections 5.72.230 through 5.72.250 without first obtaining the written permission of the city council to do so. (Ord. 175 § 11 (part), 1948)

5.72.270 Additional passengers.

The passengers of a taxicab shall have the full and exclusive right to the passenger compartment, and no owner or driver of such taxicab shall solicit or carry additional passengers. (Ord. 175 § 11 (part), 1948)

5.72.280 Use of most direct route required.

Any driver employed to carry passengers to a definite point shall take the most direct route possible that will carry the passengers safely and expeditiously to their destination. (Ord. 175 § 11 (part), 1948)

5.72.290 Charges restricted.

No person shall charge, collect, demand, receive or arrange for any compensation for the service of any taxicab any amount, rate or compensation greater than the charges or rates regulated by the City Council. Rate increases shall be approved by the City Council before implementation, and any extraordinary increase must be justified by the operator before the City Council. (Ord. 175 § 11 (part), 1948)

5.72.300 Taximeters.

A. It is unlawful for any owner or driver to operate any taxicab in the city unless and until such vehicle is equipped with a taximeter of such type, style and design as may be approved by the Blythe Police Department and certified annually by the County of Riverside Department of Weights and Measures, and it is the duty of every owner operating a taxicab to maintain such taximeter in such condition that it will at all times correctly and accurately indicate the correct charge for the distance traveled and waiting time. Such taximeters shall be at all times subject to inspection by the Blythe Police Department which is authorized at its instance or upon complaint of any person to investigate or cause the taximeter to be

investigated, and, upon discovery of any inaccuracy in said taximeter, to remove or cause the same to be removed and not to be used until it has been correctly adjusted.

- B. Taxicabs not equipped with meters operating in the city at the effective date of the ordinance codified in this chapter shall be equipped as soon as delivery can be obtained. Under no condition shall the date of installation of said meters be more than one hundred eighty days from the effective date of the ordinance codified in this chapter.
- C. Every taximeter shall be equipped to register the cost of transportation of passengers in the city and the taximeter shall be so placed in the taxicab that the display showing the amount to be charged may be readily seen by the passengers in the taxicab. It is unlawful for any owner, driver or operator of a taxicab in the city to charge any sum in excess of the amount shown on said dial for conveyance in said taxicab.
- D. It is unlawful for a taxicab driver, while carrying passengers, to display the flag or the device attached to the taximeter in such position as to denote that the vehicle is for hire or to cause the taximeter to record when the vehicle is not actually employed or to fail to cause the device on the taximeter to be placed into a nonrecording position at the termination of each and every service.

 E. It is unlawful for the owner or driver of any taxicab in the city to fix, charge or collect for service a rate more or less than the rate set by resolution of the city council. (Ord. 206 § 1, 1951; Ord. 178 § 1, 1948; Ord. 175 § 12, 1948)

5.72.310 Daily manifest.

Every driver shall maintain a daily manifest upon which all trips made each day are recorded, showing time and place of origin and destination of each trip and amount of fare. All such completed manifests shall be returned to the holder of the permit under this chapter at the conclusion of his tour of duty. The forms for each manifest shall be furnished to the driver by the holder of the permit under this chapter and shall be of a character approved by the Chief of Police, and shall be made available for inspection at the request of the Chief of Police or his/her designee. (Ord. 251 § 7, 1957: Ord. 175 § 17, 1948)

5.72.320 Vehicle inspection and Maintenance

All taxicabs shall be inspected by a certified mechanic, at the cost of the operator, on an annual basis. The operator will submit a form certifying the vehicle(s) as mechanically safe along with his/her annual renewal forms.

5.72.330 Penalty for violation.

Any person violating any of the provisions of this chapter shall be guilty of an infraction and, upon conviction thereof, shall be punishable by a fine not exceeding five hundred dollars (\$500.00) and possible suspension or revocation of his/her driver's permit. (Ord. 251 § 8, 1957: Ord. 175 § 18, 1948)

5.72.340 Unauthorized/Unlicensed Operators

Any person found providing taxi service within the City of Blythe without first obtaining a City of Blythe Taxicab Operator's and/or Driver's Permit shall be guilty of an infraction and, upon conviction thereof, shall be punishable by a fine not exceeding five hundred dollars (\$500.00).

- Palo Verde Irrigation District's D-16 canal lies along the east side of the project site on North Broadway. PVID must maintain D-16 Canal as long as there are water users south of the proposed project requiring service from PVID. The developer/applicant shall coordinate undergrounding of D-16 Canal with Palo Verde Irrigation District personnel. The location, size and depth of the undergrounding shall comply with PVID requirements. The developer/applicant shall enter into an undergrounding agreement with PVID. The developer/applicant shall bear all costs for undergrounding of PVID facilities. Said agreement shall be entered into prior to submittal of public improvement plans and/or final map request to the City of Blythe; a signed copy of said agreement shall be provided to the City Planning Department by the developer/applicant.
- 75. A Real Estate Disclosure shall be recorded for each of the parcels located within the subject project to ensure that prospective buyers are informed of potential conflicts or impacts that may arise with regard to agricultural lands in production. A sample Real Estate Disclosure follows:

Sample Real Estate Disclosure

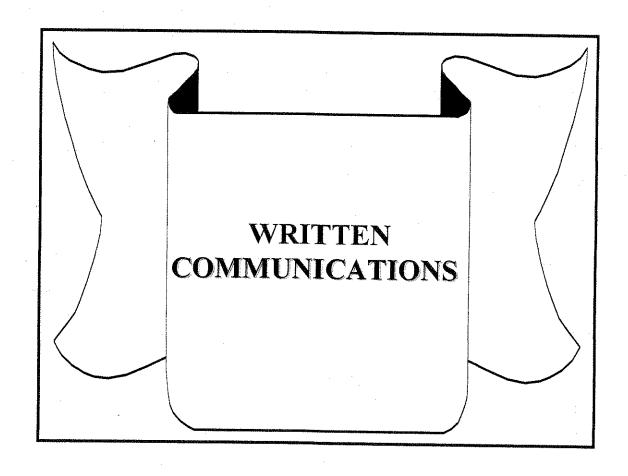
This property is located adjacent to or within close proximity of agricultural lands in production. Use of farm equipment, both ground and air; use of chemicals, including herbicides, pesticides and fertilizers; noise; and dust, are all components of agricultural production. You may wish to consider what liabilities, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

76. A Real Estate Disclosure shall be provided to prospective buyers that inform them of the impacts/risks associated with the close proximity of the Project site to the Arizona/California Railroad. A sample Real Estate Disclosure is attached.

Sample Real Estate Disclosure

This property is located within an area adjacent to the Arizona/California Railroad and is subject to potential noise impacts from passing trains and any risks associated with the unlikely event of a train derailment. You may wish to consider what liabilities, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

- 77. The developer/applicant shall record CC&R's containing a home owner's association against the property, acceptable to the Planning Director and City Attorney.
- 78. Playground equipment, meeting current ADA standards, valued at no less than \$10,000 and not more than \$25,000, shall be installed/constructed in the retention basin for use by the project residents. Provisions for maintenance and replacement of the playground equipment shall be made in the CC&R's.



SOROPTIMIST OF BLYTHE P.O. BOX 67 BLYTHE, CA. 92226

August 8, 2007

City of Blythe Blythe City Council 235 N. Broadway Blythe, Ca 92225

Mayor and Council Members;

Soroptimist International of Blythe and the Police Activity League has joined together to present a program that benefits girls in the 6^{th} , 7^{th} and 8^{th} grades called "Girls Secrets". Last year the Soroptimist alone did this and it was very beneficial.

Girls Secrets is basically a self esteem workshop with an updated title. We will provide instruction in the basics of health and hygiene including nail and hair presentations by local beauticians, self defense for this age group, role playing of attitude and behavior. We hope to have interaction from all that attend.

We feel the Community Center would be an ideal location to hold this event and are requesting fees for the use of the Center be waived, this also includes asking that the custodian fees be waived. It will be on Saturday October 13, 2007 from 9:00 am to 3:00 pm.

In the past the City of Blythe has been a tremendous supporter of our fundraisers and programs. We would appreciate your consideration.

If additional information is needed, please feel free to contact Elizabeth Wallace 922-6111or Betty Covel 922-6161.

Sincerely, Elizabeth Wallace Betty Covel Blythe PAL Soroptimist of Blythe

COMMUNITY CENTER RENTAL FEE COMPUTATION

APPLICATION NAM	1E: Sorophine	+ of Bligth +	Police activity	Legue
DATE REQUIRED:	10-13	07	7	o
DATE SUBMITTED:	8-21-	07) 	
AUDITORIUM				
1st Hour @ \$75.00			75.00	and the state of t
Each Additional Hour @ \$25.00 x Hours5_			125.00	
Cleaning/Dan	nage Deposit		125.00	-
	Total Auditorium	I	325,00	
LABOR - Custodian	Services:		224.00	
			·	
KITCHEN			·	
Total Kitchen	\$45.00			
EARLY ACCESS				
Min. \$20.00 + 10.00 hr. above 2 hrs.			20.00	
-	Total:		569.00	
	Reservation Deposit Date of Deposit:	(00025363011)	(50.00)	
	Balance Due By:			·
		00025363011 - Rental 50300341080 - Labor 820229010 - Depos	\$ 224.00	B. Aug. 2 1

201 South Broadway Blythe, California 92225 USA

Phone (760) 922-8166 Fax (760) 922-4010

August 15, 2007

Blythe City Council City of Blythe 235 N. Broadway Blythe, CA 92225

Subj: Annual "Welcome Back Teachers and Staff"

Dear Council Members:

The Blythe Area Chamber of Commerce has scheduled our annual event for Wednesday, September 19th at the Blythe Community Center, from 5:00 until 8:00 pm.

As this is an event to welcome back the teachers, administration and staff to our local schools, we are asking the Council to partner with us by rescinding the normal rental fee and labor custodial services for the Community Center. Our City Council and the City of Blythe will be named as co-sponsors at the event.

We have enclosed the Application, Agreement for Rental of the Community Center facilities, and a copy of the insurance coverage, which is in process.

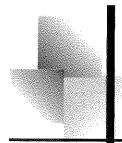
We look forward to your reply and thank you in advance, for your cooperation with this endeavor.

Sincerely,

Jim Shipley

Chief Operating Officer

Cost Implications \$414.00



Please Join Us:

EVERYONE is welcome:

State Capital of Ohio

At our Annual

TEACHERS & STAFF "WELCOME BACK"

Wednesday, September 19th

Social Hour 5:00-6:00 pm

War of 1812

Program & Introductions begin at 6:00 pm

Define A Predicate

Blythe Community Center 455 N. Broadway

The Blythe Area Chamber of Commerce, the City of Blythe, our Sponsors and the community enthusiastically extend to each and every Administrator, Teacher and School Staffer this INVITATION to a very special evening just to honor ...

You will enjoy our speakers, the evening's entertainment and special surprises!

A delicious dinner and soft drinks will be served, with the 50/50 and door prize drawings throughout this fun evening.

You don't need to come alone...Bring your spouse, a friend or family.

640 acres = ____

alea jacta est

COMMUNITY CENTER RENTAL FEE COMPUTATION

APPLICATION NAME: SUITO	EHLED MUMPER	04 Commerce
DATE REQUIRED:	70-9.	
DATE SUBMITTED: 8-0	20-07	¥
AUDITORIUM		×
1st Hour @ \$75.00	75.00	
Each Additional Hour @ \$25.0	50. D	
Cleaning/Damage Deposit	125.00	
Total Auditor	ium	250.00
LABOR – Custodian Services:	224.00	
KITCHEN		
Total Kitchen \$45.00	45.00	
EARLY ACCESS	519.00	
Min. \$20.00 + 10.00 hr. above	20.00	
Total:		539.00
Reservation Dep Date of Deposit:	posit (00025363011)	(50.00)
Balance Due By:	: 9/05/07	
	00025363011 - Rental \$ 50300341080 - Labor \$ 820229010 - Deposit \$	

Municipality

Special Event Quote# W-22854

=Insurance Services

Blythe Area Chamber of Commerce 201 S. Broadway Blythe, CA 92225

Date 8/14/2007

We are able to offer the following terms which are valid for 90 days

Coverage

BLYTHE CITY (PERMA) SPECIAL EVENT Special Event Policy Company: Everest National Insurance

Commercial General Liability Per Master Policy# 70GL000322-071

Limits

No General Aggregate Limit/ \$1,000,000 Each occurrence / \$1,000,000 Products & Completed operations /

\$1,000,000 Personal & Advertising Injury/\$50,000 Fire Damage / Medical Payments Excluded

Deductibles

No Deductible

\$125.00

Premium (Fully Earned) Taxes (Fully Earned)

\$0.00

\$35.00

Certificate Fee (Fully Earned)

TRIA

\$160.00

Total Amount

Terms & Conditions 1. Premium and All fees are fully earned. No Cancellations Allowed.

2. Hazard Class: 1

3. Event Location: Blythe Community Center

4. Event Description: Social gathering.

5. Total Attendance: 150 Vendors: None

6. Attachments: Limited Contractual Endt., Designated Premises, Classification Limitation Endt.

7. Event Date: 9/19/2007 to 9/20/2007

8. NO LIQUOR LIABILITY COVERAGE PROVIDED.

Exclusions

Assault & Battery, Care, Custody and Control, Total Pollution; Asbestos; Lead Contamination; Animals; Nuclear, Employment Related Practices; Liquor Liability; Cross Suits; Independent Contractors; Medical Payments; Communicable Disease; Subsidence; Non-Owned/Hired Auto; New Entities; Unscheduled activities or Events; Participants; Fireworks and Explosives; Punitive Damages; Professional; Voluntary Labor, Terrorism. (For a complete list of the forms, conditions and exclusions of the policy, refer to Master Policy.)

The insurance afforded under the specified policy above is subject to all terms, conditions, and exclusions of such policy. (A copy of the policy is available upon written request.) This coverage applies only to the contractor or event noted above and does not extend to any other activities or work performed by the holder.

Additional Named Insured: BLYTHE CITY (PERMA) SPECIAL EVENT

235 N Broadway

Blythe Ca 92225

Veed the ollowing o bind

A signed copy of this Quotation for the amount of:

and a money order or cashier's check Payable to:

\$160.00

Municipality Insurance Services, Inc. 302 West Cerritos Ave Bldg# 7

Anaheim, CA 92805-6550

Date

Page 2 of 2



INFORMATIONAL MEMO

TO:

Mayor and City Council

FROM:

Jennifer Wellman, Planning Director

DATE:

August 28, 2007

SUBJECT:

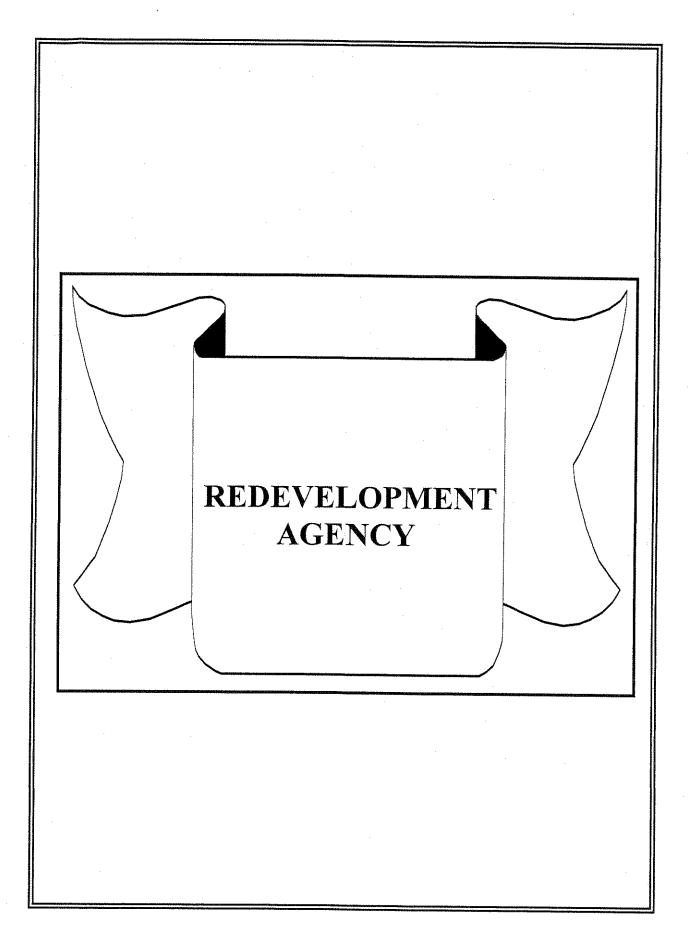
MENOS v City of Blythe

Blythe Citizens for Smart Growth v City of Blythe

- 1) All respondents except the City of Blythe have been dismissed.
- 2) Wal-Mart's attorneys have been authorized by the court to participate in the proceedings along with the City Attorney.
- 3) A Stipulation/Order has been submitted to the Court to allow Blythe Citizens for Smart Growth to become a "Doe 101" Petitioner in the proceedings with MENOS.
- 4) If the Judge signs the Stipulation/Order, the Blythe Citizens for Smart Growth case will be dismissed without prejudice and they will effectively join the MENOS team.
- 5) The Administrative Record (all 13,000± pages) is being photo copied and should be Certified and submitted to the Court within the next 30 days.
- Once the Administrative Record is submitted to the Court, a briefing schedule will be set. The briefs are where the specific factual and legal arguments are made and include declarations by "experts", legal arguments and references to specific findings and actions in the CEQA process. Generally there is NO oral testimony. All testimony is generally submitted by declaration. The Petitioner (them) opens and then the Respondents (us) are generally given 30 days to file a Responsive Brief. The Petitioner gets the last word and can file a Reply to the Responsive Briefs,
- Once all the Briefs are prepared and responded to, the matter will stand submitted at the trial court. It is unclear at this point how long it will take the Judge to read the Administrative Record, consider oral arguments, consider the Briefs and make a decision.
- 8) Staff and the City Attorney will continue to up-date the Council as information becomes available.

From the desk of:

Jennifer Wellman, AICP Planning Director City of Blythe 235 North Broadway Blythe CA 92225



MINUTES BLYTHE REDEVELOPMENT AGENCY JUNE 12, 2007

The June 12, 2007 regular meeting of the Blythe Redevelopment Agency was called to order by Chairman Crain in the Council Chambers. Also in attendance were Vice Chairman Grotke, Board Members Hernandez, DeConinck and Mays. Staff in attendance included Executive Director Nelson and other Agency staff members.

APPROVAL OF CONSENT CALENDAR. Board Member DeConinck moved to approve the Request No. 20 from the RDA Revolving Fund Account, approved under the Consent Calendar at the meeting of June 12, 2007. Seconded by Board Member Hernandez. Unanimous Aye vote.

APPROVAL OF MINUTES. Board Member Mays moved for the approval of the May 8th and May 22, 2007 Minutes. Seconded by Board Member Hernandez. Unanimous Aye vote.

ADJOURN: There being no further business to come before t	the Board the meeting was adjourned.
ATTEST:	Robert Crain, Chairman
Virginia Rivera, Secretary	

BLYTHE REDEVELOPMENT AGENCY

TO:

CHAIRMAN AND BOARD MEMBERS

FROM:

A.C.M. - C. HUL

DATE:

AUGUST 28, 2007

SUBJECT:

PROPERTY ACQUISITION - VACANT PARCEL ON SOUTH

BROADWAY

BACKGROUND:

As Council and Agency members are aware this ½ acre parcel between DMV and the old Buy-Rite site on Broadway is being considered for purchase by the RDA for a potential office and corporation yard for the Palo Verde Valley Transit Agency. As part of the due diligence for the property acquisition staff has taken several advance measures for Council/Agency consideration.

A limited Phase II hydrocarbon evaluation was done on both the north and south property lines, the results of which, Council reviewed at the August 14, 2007 meeting. While the known residual gasoline contamination is minor in nature there have never been known fuel tanks on this particular property. As such, any clean up orders from the Regional Water Quality Control Board would go to the original tank sites north and south that presumably put the pollution in the ground. This parcel would have to grant access for clean-up efforts if required, but there would not by any costs to the City/Agency.

Relative to the use of the property, staff sent a notice to property owners within 300 feet (Attachment Two) and posted the subject property inviting comments to be heard at tonight's meeting about the intended use for this site. At this writing, four notices were returned for wrong address issues, but no comments have been received by the City Clerk.

Escrow is scheduled to close on this property on August 31, 2007.

RECOMMENDATION:

Staff recommends Council receive comments about the intended use of this parcel; evaluate the utility of the site for the Transit Agency and direct staff accordingly.



CITY OF BLYTHE

235 North Broadway / Blythe, California 92225 Phone (760) 922-6161 / Fax (760) 922-4938

August 15, 2007

Re

Parcel 848-142-026 - Vacant parcel between DMV and Buy-Rite Market,

450 Block of South Broadway

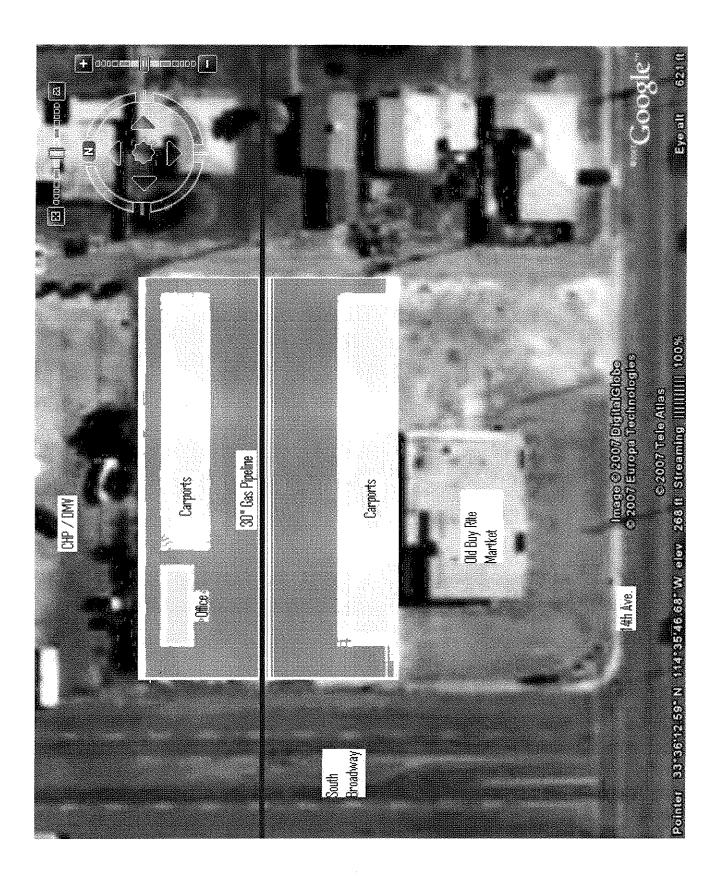
Dear Property Owner:

The Blythe Redevelopment Agency (RDA) and Blythe City Council will take comments about the above parcel being used by the Palo Verde Valley Transit Agency as a corporation yard for buses and vehicles. The City/RDA is evaluating the site for purchase and your comments are important in that process. You can either address the Blythe City Council at the meeting of August 28, 2007, at the Blythe City Hall, 235 North Broadway at 6:00 or provide your written comments to the City Clerk no later than that time and date for Council's consideration.

If you have any questions about this process, please call Assistant City Manager, Charles "Butch" Hull at 921-2740.

Thank you,

Les Nelson, City Manager



TO: RDA Board of Directors

FROM: Executive Director

SUBJECT: Demolition of 101 W. Murphy

DATE: August 28, 2007

BACKGROUND

In late 1996 and early 1997 the City of Blythe/Blythe Redevelopment Agency assembled and acquired five properties upon which to build the replacement City Hall and Court House. Two of the properties, 101 W. Murphy (Bigler) and 125 W. Murphy (Bollinger), were acquired to facilitate future expansion of the City Hall parking lot.

Ten years later (2007), staff believes it is now appropriate to begin discussing demolition of the structures, beginning with the vacant 101 W. Murphy. Cost is estimated at \$10,000, more if there is asbestos. The cost to demolish 125 W. Murphy is \$15,000, more if there is asbestos. However, the building at 125 W. Murphy "houses" the Palo Verde Valley Transit Agency (PVVTA). While staff would like to demolish both buildings at the same time (i.e. economy of scale), it could be another year before 125 W. Murphy is available for demolition. PVVTA is moving in the direction of relocation, and their FY 07-08 budget includes money for that purpose, but the fact is the process will take some time.

The discussion staff would like to have with the RDA Board of Directors deals with demolishing 101 W. Murphy now and 125 W. Murphy when we can, or continuing the wait (probably about one year) until both buildings can be demolished at once. The trade-off is cost versus the need for parking space and cleaning up the civil center block. Based on informal discussion with a licensed demolition contractor, there is an increased cost implication of approximately \$2,500 to do the buildings as separate projects. On the other hand, the City does need additional parking. Several employees don't park in the lot to leave open spaces for the public. Equally important (in my opinion) is the imagery being projected having an old vacant house as the "entrance" to the community's civic complex.

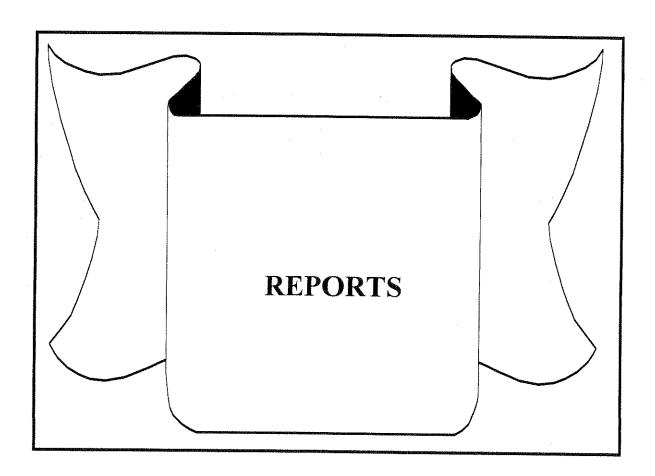
RECOMMENDATION

Discussion and direction relative to moving forward now with the demolition of 101 W. Murphy Street. The estimated cost is \$10,000, to be funded out of the Blight Elimination Fund.

Respectively submitted,

Les Nelson

Executive Director



ASSISTANT CITY MANAGER'S REPORT

1. The California Legislature passed the FY 2007-08 budget and trailer bills on Tuesday, Aug. 21, after a 52-day delay. Overall, the budget looks positive for cities, with key transportation, housing, public safety and other local programs being funded.

The budget is now on the desk of Gov. Arnold Schwarzenegger, who is expected to "blue pencil" (delete) approximately \$700 million in cuts, based upon an understanding with Senate Republicans who fought for a more balanced budget.

The Governor is expected to sign the budget on Thursday, Aug. 23.

- 2. The Palo Verde Hospital financial crisis is not nearly as much of a crisis with the State budget in place. The RDA item of August 14, 2007 has been requested not to be place back on this agenda.
- 3. On August 20th John Salazar was appointed Warden at Chuckawalla Valley State Prison by Governor Schwarzenegger. Please see the attached press release from CVSP.
- 4. Bob Doyle has retired from the position as the Riverside County Sheriff to accept the position as a Parole Board Commissioner.

2007-08-23

California Legislature Approves State Budget

The California Legislature passed the FY 2007-08 budget and trailer bills on Tuesday, Aug. 21, after a 52-day delay. Overall, the budget looks positive for cities, with key transportation, housing, public safety and other local programs being funded.

Work on the budget is not done, however. The budget is now on the desk of Gov. Arnold Schwarzenegger, who is expected to "blue pencil" (delete) approximately \$700 million in cuts, based upon an understanding with Senate Republicans who fought for a more balanced budget.

The Governor is expected to sign the budget on Thursday, Aug. 23.

Current budget highlights for cities include:

Transportation

Proposition 1B: SB 88 (Budget Committee), the bond implementation trailer bill, combined with the budget bill SB 77 (Ducheny), appropriates \$950 million in FY 2007-08 to cities and counties for the Local Street and Road Program included in Prop. 1B. SB 88, however contains some technical flaws, including lacking language that clarifies the division of these funds between cities and counties.

The League of California Cities is working on clean-up legislation to clarify the bond fund allocation process and to ensure that \$550 million would go to cities and \$400 million to counties. These amounts are consistent with the budget requests of both the League and the California State Association of Counties (CSAC).

A \$550 million allocation to cities would guarantee that each city receives minimum of \$400,000 or half of their total bond funds, whichever is greater, in FY 2007-08.

Proposition 42: The budget fully funds Prop. 42 (funding derived from the sales tax on gas) at \$1.6 billion. According to statute, cities and counties will not receive Prop. 42 funding in FY 2007-08 for local streets and roads because this is the second of two Prop. 42 "gap" years; a result of cities and counties receiving funding in FY 2001-02 and FY 2002-03 when other state transportation programs did not.

On a positive note, however, beginning in FY 2008-09, cities and counties will receive approximately double their previous allocations if Prop. 42 is funded in the state budget.

Transit: One unfortunate outcome of the state's budget problems, however, was the cuts to public transit. According to the California Transit Association (CTA), the FY 2007-08 budget package enacts a \$1.259 billion shift of Public Transportation Account funds into new, non-transit expenditure programs.

The 2007-08 State Transit Assistance (STA) Program will be funded at approximately \$416 million. However, up to \$948 million in Public Transportation Account (PTA) funds are provided to finance general obligation transportation bond debt service payments that are supposed to be paid by the General Fund, or that have already been paid. The package also enacts another \$311 million in PTA shifts to non-transit purposes, including for regional center transportation costs (\$129 million), home-to-school transportation (\$99 million), and repayment of debt owed by the General Fund to Proposition 42 programs (\$83 million), for the total of \$1.259 billion in non-transit expenditures.

In addition, SB 79 (Budget Committee), one of the trailer bills, also requires that starting in 2008-09 and beyond, all future "spillover" dollars would be divided in half, with 50 percent going to the General Fund and 50 percent to the PTA. Of the amount going to the PTA in any given year, two-thirds would flow to the STA Program and one-third would flow to support transit capital expenditures from the PTA.

Housing, Land Use and Resources

Proposition 1C: SB 86 (Budget Committee) contains the implementing language for \$300 million of the \$850 million for the Regional Planning, Housing and Infill Incentive Account program from Prop. 1C.

The majority of the funding (\$240 million) goes to the Department of Housing and Community Development (HCD) to administer a competitive grant program for capital improvement projects in qualifying infill projects. The League is concerned with the way the grant program language defines "eligible applicants" as nonprofit or for-profit developers in addition to a city, county, public housing authority or redevelopment agency. However, other elements of the bill require that the project have the support of the local government. The grant criteria also include minimum affordability and density requirements. HCD plans to hold stakeholder meetings within the next few months to establish grant

implementation guidelines.

The remaining \$60 million will be allocated to the CALReUSE program for brownfield clean-up in FY 2007-08. The details for this program are still being developed.

California Environmental Quality Act: One of the key negotiations in the Budget Act of 2007 involved lawsuits over greenhouse gas emissions being addressed in Environmental Impact Reports (EIRs). SB 97 (Dutton) will require the Governor's Office of Planning and Research to develop and adopt guidelines for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions associated with transportation or energy consumption no later than January 1, 2010.

In addition, SB 97 will prohibit lawsuits based on the failure of a local government to analyze the effects of greenhouse gas emissions in local projects that are funded out of either Prop. 1B (transportation bond) or Proposition 1E (water and flood bond). This is in response to last year's landmark legislation, AB 32 (Nunez), which aims to reduce greenhouse gas emissions, and concerns about recent litigation filed by the Attorney General.

Public Safety

Citizen Options for Public Safety (COPS)/ Juvenile Justice Grants: SB 77 allocates the same amount of funding as last year, \$238 million, for COPS/ Juvenile Justice grants. Each program receives half of the funding.

COPS provides per-capita grants funding for local law enforcement-police, sheriffs and district attorneys. The Juvenile Justice Crime Prevention Act gives per-capita grants to counties to reduce recidivism in the juvenile justice system.

Anti-Gang Efforts: SB 77 includes various anti-gang and criminal activity funding including:

- \$3 million for cities with heavy gang concentration to be distributed to Los Angeles, the Bay Area, and the Central Valley (\$1 million each)
- \$6.5 million in competitive grants to cities and community-based organizations (CBO) for gang prevention, intervention, reentry, education, job training and skills development and family and community services (city grants shall not exceed \$500,000 and CBO grants shall not exceed \$200,000)
- \$1 million to support four Internet Crimes Against Children taskforces (Sacramento, San Jose, Los Angeles, and San Diego)
- \$446,000 to create a statewide anti-gang coordinator position

The budget also includes \$4.8 million in federal funds for local assistance grants to supplement efforts to suppress gangrelated violence.

Booking Fees: SB 77 appropriates \$35 million for county sheriffs for local detention facilities and prohibits counties from charging jail booking fees to cities or other local agencies. Counties will have the authority to charge a new "jail access fee" for bookings in excess of an agency's three year average of bookings for low-level offenses.

Local Government Finance

Mandate Claims: The FY 2007-08 budget does not include funding for mandate claims incurred by local governments in this fiscal year. SB 86, the State Government Trailer Bill, requires the Legislature to appropriate the full payable amount in the annual State Budget Act for mandates for which costs have been determined in a preceding fiscal year.

Thus, claims for FY 2007-08 will be paid in FY 2008-09. Additionally, SB 86 makes a number of other changes to the mandates process, including:

- Changes annual claims deadlines from Jan. 15 to Feb. 15 and also changes maximum late penalty from \$1,000 to \$10,000.
- Directs the Controller to report to the Legislature on April 30 of each year detailing the amount of the claims submitted for the February 15 deadline, but to also include any late claims filed by April 1; and
- Requires the Controller to pay those claims (estimated costs and actual claim deficiencies) by Aug. 15 or 45 days after the budget is passed in the next fiscal year or interest then accrues.

Budget Bills and Trailer Bills

For more information on the Budget Bill and Trailer Bills, look up the measures listed below at www.cacities.org/billsearch.

- SB 77 Main Budget Bill
- SB 78 Appropriations Budget Bill
- SB 79 Transportation Trailer Bill (Spillover)
- SB 80 Higher Education Trailer Bill
- SB 81 Corrections Trailer Bill
- SB 82 Administration of Justice Trailer Bill
- SB 84 Human Services Trailer Bill
- SB 85 Resources Trailer Bill
- SB 86 State Government Trailer Bill
- SB 87 Taxation Trailer Bill
- SB 88 Bond Implementation Trailer Bill (Prop. 1B)
- SB 89 Student Financial Aid and Sale of Education Fund
- AB 199 Amends SB 86, General Government
- * AB 201 Amends SB 88, Bond Implementation
- AB 203 Replacement for SB 83; Health Trailer Bill
- SB 97 CEQA fix

last updated: 8/22/2007

CHUCKAWALLA VALLEY STATE PRISON PRESS RELEASE

August 22, 2007

FOR IMMEDIATE RELEASE

Contact: Lt. D. Asuncion Administrative Assistant/Public Information Officer Chuckawalla Valley State Prison (760) 922-9710

JOHN SALAZAR APPOINTED WARDEN OF CHUCKAWALLA VALLEY STATE PRISON

On Monday, August 20, 2007, Governor Arnold Schwarzenegger appointed John Salazar, as Warden of Chuckawalla Valley State Prison (CVSP). Warden Salazar has served as acting Warden of CVSP since January 2006. He previously worked at Centinela State Prison (CEN) from 2001 to December 2005, where he served as acting Warden, Chief Deputy Warden, and Associate Warden. From 1994 to 2001, Salazar served at Calipatria State Prison as acting Associate Warden, Facility Captain, Correctional Counselor III and Correctional Counselor II. He served as a Correctional Sergeant at California Correctional Center (CCC) from 1991 to 1994 and held the same position at the Sierra Conservation Center from 1987 to 1991. Salazar started with the Department of Corrections in 1983 as a Correctional Officer at CCC. Warden Salazar and his wife Terri have been Blythe residents since his arrival at CVSP in January 2006.

